香港申訴專員公署

Office of The Ombudsman, Hong Kong



主動調查報告

Direct Investigation Report

教育局對智障兒童學校宿舍部的監管

Education Bureau's Monitoring of Boarding Sections of Schools for Children with Intellectual Disabilities

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Education Bureau's Monitoring of Boarding Sections of Schools for Children with Intellectual Disabilities

Introduction

Some schools for children with intellectual disabilities ("ID") receiving aids from the Education Bureau ("EDB") have boarding sections that provide boarding service to children with moderate or severe ID who meet the boarding criteria. EDB regards the boarding sections of schools for children with ID as part of the schools. Their daily operation and management, therefore, should be overseen by the incorporated management committee of the school in accordance with the school-based management principles, just like the school section. EDB monitors the schools and their boarding sections on various aspects to ensure that their governance and operation comply with the relevant legislation and the guidelines it has issued.

2. This direct investigation has found that in the past, save for stipulations on staffing establishment and provision of funds, EDB had neither laid down separately any detailed operational requirements or restrictions, nor put in place an inspection system specific to the boarding sections of schools for children with ID. The Bureau's external school review ("ESR") would not directly assess the operation of the boarding sections either. Nevertheless, given the limited ability of children with ID to communicate effectively with others, they may not be able to explain clearly their situation and discontent to their parents or others even when encountering problems in boarding sections. We understand that under the school-based management policy, schools are provided with greater flexibility and autonomy in school administration and resource deployment (including the management and operation of their boarding sections). While the sector in general has exercised self-discipline, it does not mean that the authority can make light of its monitoring responsibilities. In this connection, EDB should spare no effort in ensuring the effectiveness of its mechanism for monitoring the boarding sections of schools for children with ID, and enhance the services of the boarding sections so as to safeguard the welfare of boarders with ID.

Our Findings

3. We have the following comments and recommendations with respect to EDB's monitoring of the boarding sections of schools for children with ID:

(I) Inadequate Guidelines on Day-to-Day Operation of Boarding Sections of Schools for Children with ID

4. Prior to March 2021, EDB had not promulgated any guidelines specifically for the operation and management of the boarding sections of schools for children with ID. Schools were left on their own to draw up relevant school-based guidelines according to the relevant legislation and EDB's other guidelines, neither of which contains any detailed requirements in respect of the boarding sections' day-to-day operation, personal care and nursing for boarders, daily routine arrangement and matters on which records must be kept.

5. In March 2021, EDB compiled the "Practice Guide for Special Schools on Planning and Managing Boarding Service" ("the Practice Guide") for boarding sections of special schools (including those of schools for children with visual impairment or physical disabilities). While about 70% of the boarders in aided special schools are children with moderate or severe ID, the Practice Guide contains no points to note specific to the daily care and nursing of the children with ID or the procedures to be followed by the boarding sections. Furthermore, the Practice Guide, being only seven pages long, just describes in very broad terms the principles and direction of operating and managing the boarding sections of special schools. Save for some relatively specific minimum staffing requirements for the boarding sections during the night time, the Practice Guide does not stipulate any detailed and uniform basic requirements on other day-to-day operational issues. Our view is that the Practice Guide, being rather unspecific, is neither effective in enhancing the services of the boarding sections of schools for children with ID, nor conducive to EDB's monitoring work.

6. We understand that there are specialists of different grades in the boarding sections of schools for children with ID who provide professional advice and support to the schools; while the schools themselves would formulate school-based policies and guidelines for operating and managing the boarding sections in accordance with the school-based management principles. However, if the operational guidelines of different schools cover different aspects of their boarding sections, or the approach or criteria adopted for handling the same issues differ greatly, then the parents, EDB or

even the staff of the boarding sections can hardly monitor and judge objectively whether the operation of the boarding sections is proper. We consider it imperative that EDB devise uniform requirements for certain aspects of the basic operation of the boarding sections so as to regulate their operation and lift their service standard, with a view to safeguarding the rights and welfare of the boarders with ID.

7. In this light, EDB should, having regard to the circumstances of boarders with ID, enhance the content of the Practice Guide, stipulate basic requirements for certain aspects of the day-to-day operation of the boarding sections (especially for aspects involving daily care of boarders and record-keeping), and require the boarding sections of schools for children with ID to incorporate some of EDB's basic requirements into the school-based guidelines drawn up by the schools themselves.

(II) Failing to Require Boarding Sections to Install Closed-Circuit Television ("CCTV") Surveillance Systems with Recording Function and Conduct Surprise Checks of the Footage

8. EDB neither required the boarding section of schools for children with ID to install CCTV surveillance systems with recording function nor provided grants for the installation. It was not until October 2022 (i.e. after we had launched this direct investigation) that EDB collected information about installation of CCTV surveillance systems from the aided special schools (including schools for children with ID that had a boarding section). All the boarding sections of schools for children with ID have now installed CCTV surveillance systems, some of them do not have the systems with recording function in the dormitory area due to various reasons. On the other hand, the CCTV footages of the boarding sections of schools for children with ID had never been checked during EDB's school visits in the past or joint school visits conducted since the promulgation of the Practice Guide.

9. We must stress that we are not doubting the operation or the integrity of the staff of the boarding sections of schools for children with ID. Nevertheless, an effective monitoring mechanism should aim at nipping problems in the bud and enabling timely detection of irregularities and efficient follow-up actions. We are of the view that so long as the Personal Data (Privacy) Ordinance is complied with, EDB should require the schools for children with ID to install CCTV systems with recording function within the perimeter of their boarding sections and make regular arrangements for random checks of the recorded footages. the Bureau should provide extra installation grants, where necessary, to the schools and deploy its staff to random check the CCTV footages from time to time.

(III) Lack of Systematic Monitoring of the Use of Physical Restraint or Seclusion on Boarders with ID

10. When children with ID lose control of their emotion or display serious behavioural problems, the schools may apply physical restraint (e.g. a restraint belt, straitjacket, restraint chair or safety chair) appropriate to the situation in order to restrict their body movement, or use seclusion to confine the area of their activities. In this regard, EDB has issued the "Guideline on the Use of Physical Restraint or Seclusion to Handle Students with Special Education Needs Having Serious Emotional and Behavioural Problems" (" the Restraint or Seclusion Guideline"), which on the one hand aims at encouraging schools (not only schools for children with ID having a boarding section) to use positive behaviour support strategies to reduce the chance of children displaying emotional or behavioural problems, and on the other hand seeks to provide schools with guidelines to follow when application of physical restraint or seclusion is called for. The Restraint or Seclusion Guideline does not cover the use of "protective" or "medical" physical restraints.

11. Our investigation has found that regardless of the nature of the physical restraint having been applied on a boarder being "protective" or "medical", or whether physical restraint or seclusion was used when a boarder displayed serious emotional or behavioural problems, EDB had not maintained any record on the number of boarders with ID who had the need to use such interventions or the details of the cases. In addition, during their inspections or visits at the boarding sections of schools for children with ID in the past, EDB officers had not checked the condition of the boarders who needed physical restraint or seclusion. We consider that for protecting the welfare of the boarders who need such interventions, EDB's monitoring of the boarding sections of schools for children with ID should cover the use of physical restraint or seclusion so as to ensure that the boarding section staff would, and are reminded to, implement the relevant procedures prudently and properly. During inspections at the boarding section of those schools, EDB officers can ask the schools to report the data on and details of the boarders who need physical restraint or seclusion as a management and safety measure. Besides, they should also conduct spot checks of the documents relating to the decisions to apply physical restraint or seclusion on boarders.

12. On the other hand, the Restraint or Seclusion Guideline only sets out the general principles, procedures and points to note. It was not drawn up specifically for boarders with ID. Yet, as opposed to other special schools, the boarding sections of

schools for children with ID are more likely to have the need to use physical restraint or seclusion to handle emotional or behavioural problems of their boarders. In this light, we consider that it would be prudent and responsible of EDB to provide more specific and detailed guidelines with respect to the use of physical restraint or seclusion on boarders to the boarding sections of schools for children with ID.

13. We opine that EDB should formulate detailed and rigorous basic guidelines (including implementation procedures and monitoring mechanism) for the boarding sections, targeting the special circumstances of boarders with ID. For example, the guidelines should set out the time interval for releasing the physical restraint, the frequencies of checking the reactions of a boarder under restraint or seclusion, handling of his/her toileting and eating/drinking needs, and record and information to be completed by boarding section staff after applying physical restraint or seclusion; and require that the head of the boarding section or the nurse should random check the condition of the boarder under restraint or seclusion and counter-sign to confirm the relevant records. EDB should also require the boarding sections of schools for children with ID to incorporate the Bureau's basic guidelines into their school-based policies or guidelines (if any). For discharging their monitoring duties, EDB officers should conduct checks of the records on using physical restraint or seclusion during inspections at the boarding sections of school for children with ID.

14. In addition, EDB should set down basic requirements for the boarding sections of schools for children with ID in respect of the design and facilities of the seclusion space or area to ensure that the environment is safe and humane. It should maintain information about such space or area in the boarding section of each school for regular inspection and assessment of compliance with the relevant requirements regarding their design and facilities.

(IV) ESR Teams Not Instructed to Observe and Assess Boarders' Condition and Daily Lives at Boarding Sections

15. The Key Performance Measures and Stakeholder Survey Reports submitted to the ESR teams by the schools for children with ID include the stakeholders' impression and satisfaction level with respect to the day-to-day services of the boarding sections. During an ESR, the ESR team may, on a need basis, observe the lives of boarders in the boarding section, or speak with the specialist staff of the boarding section to understand the state of affairs in the boarding section. Our view is that observation at the boarding sections can give the ESR team a more comprehensive idea about the

circumstances and development of the school. Given that for most schools for children with ID that have boarding sections, the two most recent ESRs conducted were about eight to ten years apart, the ESR teams should take the opportunity of the review to examine whether the services of the boarding section can complement the school's development plans and identify room for improvement, if any. In this connection, EDB should include observation of the environment of the boarding sections and daily lives of boarders as an inspection item during an ESR, such that the ESR teams can understand how the boarding sections can provide services complementary to the planning and development of the schools, and make specific improvement recommendations to the schools.

(V) Effectiveness of Inspections at Boarding Sections Doubtful

16. While EDB would conduct a number of visits at schools for children with ID in every school year, those visits hardly covered the boarding sections; and inspections at the boarding sections of schools for children with ID had also been very infrequent. For instance, between school years 2017/18 and 2019/20, in each school year an average of six to nine schools for children with ID having a boarding section (out of a total of 14 or 15 such schools during the period) had had the section inspected. About half of the boarding sections had been inspected only once during those three school years, and two of them even had not been inspected at all. Even after the Practice Guide had been promulgated, there was no significant increase in the frequency of EDB inspections at the boarding sections during the following year. We recommend that EDB proactively increase the inspection frequencies and set down a key performance indicator with respect to the inspections each year at the boarding section of each school for children with ID (e.g. setting down a minimum number of inspections). Furthermore, given that surprise inspections (especially those conducted during non-office hours) can better reflect the actual operation and state of affairs in the boarding sections, EDB should also arrange surprise inspections at the boarding sections of schools for children with ID at different time periods of the day (including both office and non-office hours), instead of conducting only announced inspections, as it had done in the past.

17. We notice that prior to the promulgation of the Practice Guide, EDB had not spelt out the scope of inspection or prepared inspection checklists for the Special Education Division ("SED") and School Development Division ("SDD") during inspections at the boarding sections of schools for children with ID. Since the promulgation of the Practice Guide in March 2021, schools for children with ID having

boarding sections are required to provide a number of documents for the joint inspections conducted by the two Divisions. Yet, the focus of the joint inspections is whether the schools have drawn up various school-based guidelines and mechanisms (such as a review mechanism for assessing the boarders' need for accommodation and a contingency mechanism). Inspection officers of EDB are not specifically required to conduct site inspections and assessment of the facilities of the boarding sections or review the boarders' daily routine and record their condition. Meanwhile, we do not see any substantial difference between the joint inspections carried out by the SED and SDD after promulgation of the Practice Guide and the inspections they previously conducted separately.

18. We consider the depth and breadth of EDB's inspections still insufficient as they cannot really help EDB understand the daily lives of the boarders with ID and whether the care services provided are proper. EDB should review and broaden the scope of inspections at the boarding sections of schools for children with ID, and focus on assessing the boarders' daily routine at the boarding sections (including meals and nutrition, personal care, daily living care, administration of drugs and medical treatment, environment and safety measures, activities organised by the boarding sections and staffing arrangement), observing the physical and psychological well-being as well the emotion and behaviour of the boarders, and scrutinising the records on care and use of restraint and seclusion. In addition, EDB should draw up clear delineation of duties and schedules for collaboration between the SED and SDD, define indicators for conducting separate or joint inspections so as to ensure that the boarding sections of schools for children with ID would be properly inspected by the two Divisions.

(VI) Lack of Diversity in Qualification of Officers Inspecting Boarding Sections

19. EDB inspections officers and members of ESR teams do not possess qualifications relating to health care and social work. We opine that if the inspection officers of EDB and ESR teams can include professionals with relevant qualifications, they would be in a better position to comprehensively assess whether the environment and safety measures, daily care services and personal care services of the boarding sections are proper and adequate, and be more sensitive to any anomalies in the emotion and behaviour of the boarders with ID.

20. We are of the view that for ensuring the effectiveness of inspections, EDB can consider including professionals with qualifications in health care and social work in the ESR teams and EDB's inspection teams responsible for conducting inspections at

the boarding sections of schools for children with ID. Besides, the Bureau can explore the feasibility of allowing the parents of boarders with ID to participate in the inspections at the boarding sections for assessing the service quality of the boarding sections from the perspectives of different stakeholders.

(VII) Mechanism for Reporting Serious or Life-Threatening Accidents at Boarding Section Defective

21. Our investigation has found that a school for children with ID had repeatedly and seriously delayed reporting to EDB about serious or life-threatening accidents that had happened at its boarding section. This reflected that EDB's reporting mechanism had not been strictly complied with. Consequently, EDB could not deploy staff to collect evidence and carry out investigation at the boarding section of the school in a timely manner, and was therefore unable to devise or propose precautionary or rectification measures as soon as possible. Meanwhile, EDB has not set down a clear and definite time frame for the boarding sections of schools to submit written reports on serious or life-threatening accidents. We consider it imperative of EDB to set a clear deadline for the boarding sections of schools for children with ID to submit written reports on accidents, and monitor closely whether there has been delay in reporting accidents. Serious actions must be taken by the Bureau against non-compliance.

Our Recommendations

22. In light of our findings in this direct investigation, The Ombudsman has made 12 recommendations, as follows:

(1) to enhance the content of the Practice Guide, having regard to the condition of the boarders with ID, and stipulate basic requirements for certain aspects of the day-to-day operation of the boarding sections of schools for children with ID (e.g. aspects involving the daily care of boarders and record-keeping), and require the schools to incorporate EDB's basic requirements into their school-based policies and guidelines;

(2) to require the boarding sections of schools for children with ID to install CCTV surveillance systems with recording function, and stipulate the basic requirements for CCTV installation in the Practice Guide;

(3) to arrange EDB staff to conduct random checks from time to time of the recorded footages of the CCTV surveillance systems installed at the boarding sections;

(4) to include the use of physical restraint or seclusion on boarders by the boarding sections as an item for review during inspections;

(5) to formulate detailed and rigorous basic guidelines (including implementation procedures and monitoring mechanism) specific to the use of physical restraint and seclusion as a measure to manage boarders with ID losing control of their emotion and behaviour, and require the boarding sections of schools for children with ID to incorporate the guidelines into their school-based policies and guidelines;

(6) to provide further guidelines on the design and facilities of seclusion space in the boarding section of schools for children with ID with a view to protecting the children's safety;

(7) to include observation of the environment of the boarding section of schools for children with ID and daily lives of boarders in ESR;

(8) to arrange surprise inspections at the boarding section of schools for children with ID during both office and non-office hour, and draw up key performance indicators for inspections at the boarding section of each of those schools per school year;

(9) to review and broaden the content of inspections at the boarding sections of schools for children with ID, including focusing on assessing the daily routine at the boarding sections, observing the physical and psychological well-being of boarders, and scrutinising the records of the boarders;

(10) to devise clear arrangements and inspection indicators for the Bureau's inspections at the boarding sections of schools for children with ID;

(11) to explore the feasibility of arranging inspections at the boarding sections of schools for children with ID by professionals with qualifications in health care and social work, and of allowing parents to participate in the inspections; and

(12) to strictly require boarding section of schools for children with ID to adhere to the requirements for reporting serious or life-threatening accidents and stipulate a clear deadline for submitting written reports.

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1

INTRODUCTION

BACKGROUND

1.1 Some schools for children with intellectual disabilities ("ID") receiving aids[1] from the Education Bureau ("EDB") have boarding sections that provide boarding service to children with moderate or severe ID who meet the boarding criteria[2]. The boarding sections aim at facilitating the children's education on school days and providing the children with personal care services beyond school hours, as well as helping them develop self-care abilities and social skills through routine life training and diversified activities. Unlike residential care homes for persons with disabilities ("RCHDs"), the boarding sections of aided schools for children with ID are establishments registered and administered by schools. Under the school-based management policy, the schools are required to manage and monitor the quality and effectiveness of each area of their work, including boarding service, while EDB monitors different aspects of the schools and their boarding sections to ensure that the school management and operation comply with the relevant legislation and the EDB-promulgated guidelines.

1.2 Children living in boarding sections of aided schools for children with ID are less capable of self-care, and vary in physical condition and care needs. In general, they rely on others in their daily lives and medical care/nursing. Many of them are

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1 According to section 3 of the Education Ordinance, "aided school" means any school that receives subsidies from the Government in accordance with the Code of Aid for Primary Schools, the Code of Aid for Secondary Schools or the Code of Aid for Special Schools.

2 In addition to satisfying the admission criteria of the school, children applying for boarding services also have to meet at least one of the following requirements:
(1) homeless (e.g. orphaned);
(2) gravely lacking care and supervision by adults;
(3) extremely bad relationships among family members;
(4) evidence of having been abused; or
(5) distance between place of residence and special school is long and not an easy commute.

enrolled on boarding services because their families are unable to take care of them. Given their limited ability to communicate effectively with others, these children may not be able to explain their situation and discontent to their parents or others even when they encounter problems in boarding sections. There have been media reports about allegedly improper application of physical restraints or seclusion by the boarding sections of school to restrict the bodily movement or freedom of children with ID. The general public would expect the Government to put in place appropriate measures to monitor the quality of the boarding sections of schools for children with ID so as to protect the welfare of the children living there.

1.3 The Government has the obligation to safeguard the welfare of the boarders in the boarding sections of schools for children with ID by ensuring that they receive appropriate and proper care and live in an environment favourable to the health and growth of their body and mind. In this connection, The Ombudsman declared on 7 April 2022 a direct investigation pursuant to section 7(1)(a)(ii) of The Ombudsman Ordinance to examine EDB's monitoring of the boarding sections of schools for children with ID and identify room for improvement, if any.

SCOPE AND PROCESS OF INVESTIGATION

1.4 The scope of this direct investigation covers:

- EDB's powers and responsibilities in monitoring the boarding sections of aided schools for children with ID;
- relevant legislation and guidelines/requirements promulgated by EDB;
- EDB's inspections at the boarding sections; and
- any areas for improvement in EDB's current regulatory regime.

1.5 In the course of investigation, we have scrutinised the information provided by EDB and consulted the public. In addition, our investigators had shadowed the EDB officers in mid-November 2022 in an inspection at the boarding section of a school for children with moderate ID. Under EDB's arrangement, we had also visited the boarding sections of another five schools for children with moderate or severe ID in order to understand the daily lives and routines of the boarders.

1.6 On 30 January 2023, we issued the draft investigation report to EDB for comments. Having considered its comments, we completed this final report on 25 April 2023.

2

EDB's MONITORING POWERS, RESPONSIBILITIES AND GUIDELINES

2.1 The boarding sections of aided schools for children with ID are establishments registered and administered by schools. Management and monitoring of the boarding sections are part of the schools' daily operation, and should be taken up by the schools under the school-based management policy (see **paras. 2.2–2.4**).

SCHOOL-BASED MANAGEMENT POLICY

2.2 By implementing the school-based management policy, EDB aims at giving schools greater autonomy and flexibility in daily operation and resource deployment, thereby enhancing the transparency and accountability of school governance.

2.3 Under the school-based management policy, the Incorporated Management Committee ("IMC") of every school (including schools for children with ID that have a boarding section) has statutory management status and responsibilities, and is obligated to formulate various policies and development strategies for the school in such aspects as education, finance, human resources management, curriculum design and implementation, as well as student supports, etc. The IMC also manages and monitors the quality and effectiveness of different areas of school work, including boarding services. It answers to EDB, the school sponsoring body, other stakeholders and the public with respect to the school's performance; while the school sponsoring body monitors the IMC's performance.

2.4 With the statutory powers conferred by the Education Ordinance (Cap. 279, "EO"), EDB monitors schools (including their boarding sections) on various levels and uses different channels (such as direct communication with school staff, school visits and school inspections) to collect information regularly in order to ensure the school governance complies with the EO, the Education Regulations (Cap. 279A) and other relevant legislation, the Code of Aid for Special Schools, the Code of Aid for Aided Schools, the School Administration Guide and the requirements as set out in the circulars, letters and guidelines issued by EDB. With respect to schools with a boarding section, EDB's monitoring is on the whole school as basic. Any deficiencies in school governance would be followed up seriously by EDB and the school in question be requested to improve and rectify the situation. If sub-standard performance persists and gravely affects the students' learning and care, EDB may impose more severe sanctions such as termination of subsidies to the school (and its boarding section) or withdrawal of school sponsorship.

PRACTICE GUIDE FOR SPECIAL SCHOOLS ON PLANNING AND MANAGING BOARDING SERVICE

2.5 In the past, EDB had not formulated any guidelines specific to the services and management of the boarding sections of schools for children with ID. Nevertheless, the chapters on "Student Matters", "Home-School-Community Partnership" and "School Premises and Safety" of the School Administration Guide are applicable to the day-to-day operation and services of the boarding sections of those schools.

2.6 In order to assist the special schools to plan and manage their boarding sections more systematically and provide more appropriate support to boarders with respect to daily care and living safety, learning support, socialisation training and transition arrangement, EDB has taken reference from the Code of Practice for Residential Care Homes (Persons with Disabilities) ("Code of Practice for RCHDs") and other relevant guidelines issued by the Social Welfare Department ("SWD"), as well as consulted the Hong Kong Special Schools Council, the school sponsoring bodies of special schools with experience in managing boarding sections, and SWD. The pilot version of the Practice Guide for Special Schools on Planning and Managing Boarding Service ("Practice Guide") was subsequently promulgated in March 2021, and implemented on a trial basis by aided special schools with a boarding section in the 2020/21 school year.

2.7 Having considered the schools' feedbacks, EDB revised the Practice Guide in September 2021 (see **Annex**) and incorporated it into the School Administration Guide for compliance by schools since the 2021/22 school year. The Bureau indicated that the special school sector in general welcomed the initiative as it provides the schools with a focus while reviewing and planning their boarding service. With the Practice Guide, EDB can monitor more specifically the operation of the boarding sections of special schools, and help the schools continuously improve and develop their boarding service. In the 2021/22 school year, the Practice Guide covers 23 special schools with a boarding section for children with visual impairment, hearing impairment, physical disabilities, or moderate or severe ID. The total number of boarders was about 1,000, around 70% of whom were children with moderate or severe ID.

2.8 EDB has already reminded schools in the Practice Guide that the schools should formulate specific work plans for their boarding sections every school year regarding its day-to-day operation and routine matters, just as they do for other sections of the school. They should also set appropriate targets and success criteria for the boarding and personal care services provided to boarders. Continuous self-evaluation should be conducted to ensure the effective operation of the boarding section and provision of a safe environment and appropriate support to boarders. On the question of verifying proper implementation of the work plans by schools, EDB said that the schools are answerable to the school sponsoring bodies. At the end of each school year, the schools have to appraise the performance and effectiveness of each work aspect and prepare a school report for the information of all stakeholders in a bid to enhance the transparency and accountability of school-based management. On the other hand, the Bureau would check on the operation of the boarding sections during inspections and school visits, and make recommendations on school performance or even request for improvement.

3

BOARDING SECTIONS: AN OVERVIEW

3.1 In the 2021/22 school year, there were altogether 16 aided schools for children with ID that have a boarding section[3], providing 5-day or 7-day boarding per week to school-age children (generally those aged between 6 and 18) with moderate or severe ID in need of long-term residential service. About 3,000 children with moderate or severe ID were studying at special schools, of whom around 700 also received boarding service at the schools.

MODE OF EDB SUBSIDIES

3.2 Every school year, EDB would provide an Expanded Operating Expenses Block Grant ("EOE Grant") to the schools for children with ID with a boarding section. The schools can deploy the grant at their discretion for educational purpose, and for school operation and development. The amount of the EOE Grant depends on the size and actual circumstances of the school section and the boarding section. Other EDB grants are also available to schools for children with ID with a boarding section (e.g. Personal Care Worker Grant, additional grant for bolstering support to students with medical complexity, and additional grant for enhancing the care for 24-hour ventilator-assisted students).

SITE SELECTION OF BOARDING SECTIONS

3.3 Premises proposed for constructing special schools (including those for children with ID that have a boarding section) are allocated to eligible school sponsoring

[3] In addition to providing subsidies to the 16 schools for children with ID, EDB also provides subsidies to a school for children with visual impairment and intellectual disabilities which has a boarding section and provides education and boarding services to children with visual impairment and moderate ID.

bodies by EDB through school allocation exercises. In the 2021/22 school year, of the 16 schools for children with ID that have a boarding section, three have a boarding section separated from the school section or even located in different districts[4]. The boarders of these schools have to commute between the boarding section and the school section by school buses (see **Table 1**).

Table 1: The three schools for children with ID that have the boarding section and school section located in different districts

	Location of school section	Location of boarding section
School A	Aberdeen	Wong Chuk Hang
School B	North Point	Shau Kei Wan
School C	Sham Shui Po	Wong Tai Sin

EDB pointed out that the boarding section and school section of those three schools are located in different districts because decades ago, the facilities and services (including boarding services) targeting persons with moderate and severe ID were provided by other government departments. Since the introduction of nine-year free universal and basic education in 1978, the training services previously provided by other departments were gradually taken up by EDB (formerly the Education Department) and became education services. Taking into consideration various factors such as school age and campus facilities, EDB proactively identifies suitable sites for relocating the boarding sections of those schools based on their needs in order to address the problems arising from separate locations of the boarding section and school section and to improve the school environment. In terms of site selection, campus design, facilities and equipment, EDB has, in recent years, made better overall planning before building new special schools or re-locating old ones (including schools for children with ID).

DESIGN AND EQUIPMENT OF BOARDING SECTIONS

3.4 EDB explained that the boarding sections of schools for children with ID would be provided with different equipment based on such factors as the size, terrain and environment of the boarding areas, as well as the needs and number of boarders.

4 Under section 2 of the Education Regulations, the boarding section of a school need not be located at the same building or group of buildings as the school section.

There is no single standard that fits all. The standard facilities[5] required by the boarding sections of those schools are mainly provided by EDB. Resources would also be given to the schools for procuring furniture and equipment to cater for their boarders (e.g. overhead lifts with railings that help boarders with mobility difficulties to move between the dormitories and the bathrooms). We notice that the design and equipment vary among the boarding sections of schools for children with ID. For instance, some boarding sections are situated on the lowest floors of a residential block in public housing estates, which in turn would pose limitations to the schools' layout and choice of ancillary facilities; while some others are located inside independent school campuses, which are more spacious and, therefore, more convenient for student training and activities.

3.5 Regarding the equipment in the boarding sections, section 56 of the Education Regulations prescribes the basic requirements of boarding schools (including boarding section of schools for children with ID), covering the size of the dormitory area, ceiling height and the provision of water closets, etc. In addition, boarding schools should ensure that the facilities in the boarding sections (such as the dormitory accommodation, washing and bathing arrangements, messing and kitchen accommodation, latrine accommodation and sanitary arrangements; and the area provided for open-air recreation) shall be of a standard to the satisfaction of EDB and properly maintained.

Closed Circuit Television ("CCTV") Surveillance Systems

3.6 On the installation of CCTV surveillance systems in the boarding sections of schools for children with ID, our observations during visits to the boarding sections of several schools are:

(1) some boarding sections had already installed CCTV systems more than a decade ago, while some had not installed any CCTV systems with recording function in the dormitories/common areas (such as corridors);

(2) dormitories already equipped with CCTV systems have in general installed three to four groups of CCTV cameras;

[5] Including the dormitories, study rooms, television/rest rooms, canteen/multi-purpose rooms, kitchen, laundry rooms, clothes drying area, storerooms, lavatories and bathrooms, warden's office, houseparents/activities counsellors' office, nurse station/medical rooms, and rooms for night shift staff.

(3) some boarding sections could not install CCTV systems within the dormitory areas because of objections of the guardians of individual boarders;

(4) some staff members of boarding sections expressed concerns and doubts about the installation of CCTV systems;

(5) the CCTV systems of some boarding sections are for real-time surveillance only and have no recording function;

(6) in the interest of the boarders' privacy, some boarding sections request boarders to use the bathroom when they change clothes to avoid the CCTV cameras inside the dormitories. Some sections would instruct staff to manually cover the CCTV cameras with objects when the boarders change clothes inside the dormitories; and

(7) different schools have different school-based policies, hence different arrangements regarding the installation of CCTV systems, and the authority to access and check the recorded footages.

3.7 EDB indicated that CCTV systems are not among the standard equipment of boarding sections of schools for children with ID. Whether to install such systems is completely a school-based decision. In principle, the Bureau does not object the installation of CCTV systems in boarding sections. Nevertheless, schools should balance security and protection of privacy, fully communicate with the teaching/administrative staff, the students and their parents and ensure that the CCTV systems comply with the relevant legislation and the "Guidance on CCTV Surveillance and Use of Drones" issued by the Office of the Privacy Commissioner for Personal Data. Schools can make use of EDB's EOE Grant (see **para. 3.2**) to procure on their own CCTV systems in the boarding sections where necessary.

3.8 EDB indicated that according to the data collected from special schools in October 2022, all the boarding sections of special schools had already installed CCTV systems. Among them, 79% had installed fewer than 50 CCTV cameras, and 21% between 51 to 75 such cameras, which mainly cover areas such as corridors, canteens, multi-purpose rooms or dormitories.

DAILY ROUTINE

3.9 The boarding sections of schools for children with ID have to work out a regular daily routine for boarders in accordance with the school-based needs. In addition to providing day-to-day care, the boarding sections would foster the personal and social development of boarders through training in different aspects and leisure activities (such as training in self-care, domestic and life skills and rehabilitation, etc.). Outdoor activities would also be organised so that the boarders can stay in touch with the community.

3.10 Boarders with moderate and severe ID depend on the supervision and assistance of others in their daily lives. Generally speaking, children with moderate ID have better communication skills than those with severe ID; with appropriate training and help, they can learn basic life skills (like crossing the road) and simple self-care like washing and combing their hair. More often than not, boarding sections of schools for children with ID focus on training the self-care and daily life skills of children with moderate ID to facilitate their transition and adaptation after leaving school.

3.11 Children with severe ID need assistance in multiple aspects and in-depth training. They usually have varying degrees of physical problems and medical complexity (such as dysphagia or dyspnoea) and lack self-care abilities. The boarding sections, therefore, have to provide more intensive care and nursing to them (such as gastrostomy tube feeding and use of a ventilator).

MEALS ARRANGEMENT

3.12 Cooks are included in the staff establishment of the boarding sections of schools for children with ID (see **Note 6**). The Practice Guide also reminds relevant staff to make appropriate meal arrangements and follow-up for the boarders. Since some children with ID also have other physical disabilities or medical complexity, resulting in greater difficulty in eating, designated staff (such as nurses, speech therapists, occupational therapists and physical therapists) would make special meal arrangements for them based on their health condition and developmental needs (e.g. prepare cut or minced food, avoid or increase intake of certain food, or use special cutlery or containers). We also noticed that some boarding sections of schools for

children with ID provide non-Chinese speaking boarders with food appropriate to their culture and religion.

ARRANGEMENTS FOR DAILY CARE AND NURSING OF BOARDERS

Individualised Care Plans

3.13 The Practice Guide stipulates that the boarding sections of schools for children with ID have to provide the boarders with the support (such as life skills training) and special nursing care (such as feeding, administration of medicine and use of ventilator) that suit their condition. Individualised and appropriate personal care plans must be formulated and reviewed regularly.

Health Examinations for Boarders

3.14 Section 57 of the Education Regulations provides that every boarding school (including schools for children with ID that have a boarding section) shall ensure every student be medically examined by a medical practitioner before his/her admission as a boarder. Relevant written records of the examinations shall be maintained and made available for inspection by EDB when necessary.

Personal Health and Nursing Records

3.15 The Practice Guide requires that personal health and nursing records should be properly maintained for the boarders, and the information therein updated according to the advice of health care professionals. For cases of medical complexity, ventilator-dependent boarders or those with other special nursing and care needs, the boarding sections should remind the relevant staff to periodically review or update the additional support measures devised for such boarders.

Manage and Assist Boarders in the Use of Medicine

3.16 Some boarders with ID need regular medications (like psychiatric drugs). For proper management of the drug administration procedures and for assisting boarders in the use of medicine, the Practice Guide reminds the boarding sections of schools for children with ID to take reference from the Guidelines on Drug Management in Residential Care Homes jointly compiled by SWD, the Department of Health and the Hospital Authority. EDB stated that nurses in a school's boarding section, under the

regulation of the relevant professional code of practice, have a duty to provide professional advice and support to the boarding section regarding drug management and assistance to boarders in the use of drugs.

STAFF ARRANGEMENT IN BOARDING SECTIONS

Staff Establishment and Qualification Requirements for Specialist Staff

3.17 EDB has set out in the Code of Aid for Special Schools the staff establishment and qualification requirements for specialist staff[6] (i.e. wardens, assistant wardens, houseparents, programme workers and nurses) of the boarding sections of schools for children with ID according to their types and size. Save for nurses, specialist staff should be registered social workers with academic qualifications and experience related to social work.

Training

3.18 In recent years, EDB has invited staff members of boarding sections of schools for children with ID to attend various training courses, and organised seminars for special schools in which representatives from SWD and organisations operating boarding services shared their experience and practice in boarding service management. The training courses included: workshops on controlling aggressive behaviours and breakaway techniques; seminars on positive behaviour support strategies; experience sharing sessions on provision of support services to special school leavers; webinars on management of the boarding sections of special schools; and webinars on identifying, preventing and handling suspected cases of child abuse and positive behaviour support strategies, etc. As far as we know, some schools for children with ID had, of their volition, arranged for their boarding section staff to enrol on courses provided by other organisations relating to boarders' care.

Measures for Relieving Manpower Shortage

3.19 EDB has taken the following measures to address the problem of manpower shortage in the boarding sections of special schools (including those for children with ID):

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6 In addition to specialist staff, the Code of Aid for Special Schools also sets out the staff establishment of other grades, such as clerical assistants, cooks, watchmen and janitors.

(1) under the school-based management policy, the schools for children with ID that have a boarding section can, having considered their operational and development needs, partially freeze the staff establishment of the boarding section in exchange for EDB cash grants to hire additional staff (such as care workers or janitors) or procure relevant services. This means greater flexibility in resource deployment. In view of the difficulties encountered in recruiting regular staff, some of the schools agree that EDB's arrangement allows them flexibility in staff recruitment to ensure that the boarding sections can continue operation;

(2) since the 2020/21 school year, EDB has enhanced the staff establishment of all aided special schools (including schools for children with ID) by, for instance, upgrading the rank of wardens and assistant wardens of boarding sections with a minimum capacity of 40 boarders, and augmenting the staff size for weekends;

(3) since the 2020/21 school year, EDB has provided an extra "personal care worker grant" to the boarding sections of special schools for them to hire personal care workers to assist boarders in their daily lives (e.g. helping them bath and wear clothes and participate in training and activities) or purchase relevant services in order to alleviate the burden of houseparents and programme workers. EDB had not set down any qualification requirements for personal care workers. Schools can make their own decisions as per the school's circumstances and the boarders' needs; and

(4) since November 2022, EDB has enhanced the reimbursement arrangement for cash allowance provided to the houseparents of boarding sections of special schools. All special schools having a boarding section can enjoy greater flexibility in substituting the vacancies of houseparents with cash allowance for recruiting additional and more suitable staff.

Duty Hours of Specialist Staff

3.20 The duty hours of the staff of the boarding sections of schools for children with ID is a day-to-day operational matter for the schools to decide. Under the broad principle of protecting boarders' safety, the schools should determine the optimal staff size and their duty hours having regard to the size, design (such as room number and area) and needs of the boarding sections. The Practice Guide already stipulated that the schools have a duty to protect the living safety of the boarders, and the boarding sections should devise effective measures (including drawing up duty rosters and inspections schedules) to make sure that sufficient manpower is deployed to protect boarders' safety during both day time and night time[7]. EDB has also laid down in the Practice Guide a uniform minimum manpower requirement for the boarding sections of special schools during night-shifts.

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7 The Practice Guide for Special Schools on Planning and Managing Boarding Service stipulates that at least two staff members must be on duty for the night shift and at least one of them should be a specialist, either a social worker or a nurse. The boarding section may alternatively opt to arrange for two non-specialist staff members on duty, with the presence of a specialist staff in the rank of social worker or nurse to be on site (whether on duty or not).

4

ARRANGEMENTS FOR USING PHYSICAL RESTRAINT OR SECLUSION

"PROTECTIVE" OR "MEDICAL" PHYSICAL RESTRAINT

4.1 EDB indicated that some boarding sections of schools for children with ID would apply "protective" or "medical" physical restraints (such as "special chair", wrist restraints" or "safety helmets"[8]) on their boarders to protect them from injury and help them take part in learning activities. The decisions to apply restraints were made by health care professionals based on the children's health condition or treatment needs and had been explained to the children's parents. The schools for children with ID should include the above special care information in the children's "individualised education programmes", which should be updated as per the advice of the health care professionals.

4.2 EDB did not collect information about the number of boarders in need of "protective" or "medical" physical restraint or the related details. However, the Bureau stressed that abuse of physical restraint resulting in injury of boarders is a criminal offence.

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8 (1) "Special chairs" can help children with muscular dystrophy to maintain a stable sitting position.

(2) Children with cerebral palsy would exhibit movement disorders resulting from involuntary shaking of the body. "Wrist restraints" can help fix one hand of the child to act as an anchor so that the child can focus on controlling the movement of the other hand.

(3) "Safety helmet" can protect autistic children who have a tendency to self-harm by bumping their head against a hard surface repeatedly.

USING PHYSICAL RESTRAINT OR SECLUSION TO HANDLE SERIOUS EMOTIONAL AND BEHAVIOURAL PROBLEMS

4.3 When children with ID lose control of their emotion or display serious behavioural problems, the schools may apply physical restraints (e.g. a restraint belt, straitjacket, restraint chair or safety chair) appropriate to the situation in order to restrict their body movement, or use seclusion to confine the area of their activities. In this connection, EDB had issued the "Guideline on the Use of Physical Restraint or Seclusion to Handle Students with Special Education Needs Having Serious Emotional and Behavioural Problems" (" the Restraint or Seclusion Guideline"), which on the one hand aims at encouraging schools (not only those for children with ID having a boarding section) to use positive behaviour support strategies to reduce the chance of children displaying emotional or behavioural problems, and on the other hand seeks to provide schools with guidelines when application of physical restraints or seclusion is called for (see **paras. 4.4–4.8**). EDB stressed that seclusion has no educational function and is not recommended as a regular method of discipline. It should only be used as a last resort in critical situations or emergencies. The Restraint or Seclusion Guideline does not cover the use of "protective" or "medical" physical restraints (see **paras. 4.1 and 4.2**).

Guideline on the Use of Physical Restraint or Seclusion to Handle Students with Special Education Needs Having Serious Emotional and Behavioural Problems

4.4 The Restraint or Seclusion Guideline contains the principles, the procedures and the points to note when schools, under the premise of protecting the safety of the students in question and other people, apply physical restraint or seclusion on students who display serious emotional or behavioural problems. For example, schools should keep watching over the students under restraint or seclusion, record clearly whether they display any discomfort (e.g. sweating, vomiting or even seizure). If the student concerned expresses discomfort or shows signs of discomfort, the restraint must be removed or seclusion ceased. After the use of restraint or seclusion, the boarding section must make a written record, which should include the name of the student, details of the incident, the date, time and reason(s) for using physical restraint or seclusion, psychological and bodily response of the student, names of staff witness, initial response of the parents, as well as post-incident support to the student and follow-up action.

4.5 The Guideline mentions the general principles of using physical restraint or seclusion and reminds the schools that they should convene a multi-disciplinary case conference (composed of educational psychologists, psychiatrists (if any), social workers, nurses and staff of the boarding section, etc.) to discuss in detail the use of such interventions. The written consent of parents should be obtained before applying physical restraint or seclusion as an urgent disciplinary and safety measure when the student manifests serious emotional or behavioural problems. Discussions with parents about the related arrangements should be held at least once every school term[9]. Depending on the students' needs and conditions, the schools can decide on their own whether to invite multi-disciplinary professionals to the review meetings. However, even if parental consent has not been obtained regarding application of physical restraint or seclusion on a student, the school can still exercise professional judgement and implement contingency measures in emergencies (such as when the student's behaviour is very likely to threaten his/her own and others' safety) to stop the student's serious emotional or behavioural problems in order to protect everyone's safety. Out of respect for the professional decisions made at multi-disciplinary case conference(s) and the privacy of the students, their parents and others persons concerned, EDB did not collect the details of such case conference(s) for record or assessment purpose.

Execution of the Guideline and Monitoring Mechanism

4.6 In addition to taking reference from the Restraint or Seclusion Guideline, schools are encouraged to formulate their own school-based policies and guidelines regarding the use of physical restraint and seclusion (including how to apply such interventions in a safe manner, and to maintain proper records), and set up a monitoring mechanism to ensure compliance with the policies and guidelines by school staff. For instance, certain schools for children with ID that have a boarding section indicated that photographs of the physical restraint to be used would be attached to the consent form for parents' information before they sign the form.

4.7 With respect to schools for children with ID that have a boarding section, EDB has not collected data including the number of schools that have formulated school-based policies, guidelines and a monitoring mechanism with respect to the use of physical restraint or seclusion, and relevant details. EDB argued that whether and how to apply physical restraint or seclusion rests on the professional judgement of school staff when students lose control of their emotion or display serious behavioural

9 Each term lasts for three to six months, depending on the number of terms (two, three or four) a school has in each school year.

problems, rather than on whether the schools have formulated relevant school-based policies, guidelines and a monitoring mechanism. The schools can refer to the Restraint or Seclusion Guideline issued by EDB or the school-based policies in handling emotional or behavioural problems of students.

Specifications on Physical Restraint and Seclusion Space or Rooms

4.8 The Restraint or Seclusion Guideline reminds schools that all devices and premises used for physical restraint or seclusion must comply with humanity, and the suitability for such interventions should be reviewed annually. Space or rooms used for seclusion are neither among the standard facilities (see **para. 3.4 and Note 5**) provided by EDB, nor accounted for in the Bureau's construction plan for the schools and the boarding sections.

4.9 Meanwhile, EDB does not encourage the necessary use of seclusion whenever a student displays serious emotional and behavioural problems. As such, the Restraint or Seclusion Guideline only provides safety tips on using such interventions as the last resort, and has not set down any requirements regarding the design of and facilities in the space or premises used for seclusion.

5

EXTERNAL SCHOOL REVIEW & INSPECTION ARRANGEMENTS

5.1 EDB assesses the performance of the boarding sections of schools for children with ID by way of external school review ("ESR"), school visit and inspection. Suggestions for improvement would be made where due.

EXTERNAL SCHOOL REVIEW

5.2 Just like other public schools and direct subsidy schools, schools for children with ID that have a boarding section are required to conduct regular self-evaluations to review development priorities and efficacy of the key tasks, with a view to facilitating next-stage planning and provision of quality school education. ESR, on the other hand, aims at validating the effectiveness of a school's self-evaluation, and assisting the schools to reflect on the efficacy of their work and to continuously develop. The scope of validation covers the adequacy of the school development plan and annual plan devised by the schools and the effectiveness of their implementation (see **para. 5.4**). EDB stressed that the purpose of ESR is to validate the efficacy of the schools' development and key tasks. Routine school management (including management of the boarding sections) belongs to school-based management.

ESR Procedures

5.3 Prior to an ESR by an ESR team[10], EDB would notify the school concerned by telephone (12 weeks in advance) and in writing (6 weeks in advance). An ESR usually lasts for three to five days (depending on the size and context of the

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10 An ESR Team comprises EDB officers from the Quality Assurance Branch, and external reviewers who are serving school principals or senior teachers of public schools. They provide professional views to the school under review from the perspective of a front-line education practitioner.

school concerned) and includes scrutiny of school documents and students' assessment tasks, observation of the teachers/students during classes and other school activities, as well as meeting with the relevant personnel, etc. In the process, the ESR team would collect relevant evidence and assess how the school can continuously improve through self-evaluation. If a special school has a boarding section, the team would, based on the school's self-evaluation, meet and talk with the relevant staff (such as the warden) on a need basis to explore ways to further promote the boarders' learning and growth. Upon completion of a review, the ESR team would write up an assessment report to notify the major stakeholders of the school (including members of the IMC, teachers and specialist staff, etc.) of the review result and put forward suggestions for improvement. The IMC should lead the school to follow up on the suggestions in the report for self enhancement and sustained development of the school.

Documents scrutinised by the ESR Teams

5.4 The documents that schools are required to provide to the ESR teams include school development plans for the two most recent development cycles, the school's annual plans and school reports[11], as well as the most recent Key Performance Measures ("KPM") reports and Stakeholder Survey ("SHS") report (see **para. 5.5**). Generally speaking, the day-to-day operation of a school (including the monitoring of the boarding section) is routine business rather than the focus of development or an item of concern. In other words, unless a school has determined on a new development focus and strategies for its boarding section during the development cycle concerned, the day-to-day operation and performance of the boarding section should not form part of the development plan and the school report submitted to EDB. EDB emphasised that, in view of the spirit of accountability, the school concerned should regularly report to IMC on routine business such as the monitoring of its boarding section.

5.5 The KPM report and SHS report are compiled by the school according to the KPM[12] it deems applicable to the school, and are based on the data the school has

11 Schools should work out a three-year School Development Plan ("SDP") that covers the schools' major concerns and development map, then devise the Annual School Plan ("ASP") which sets out the step-by-step implementation every school year accordingly. At the end of a school year, schools should assess the efficacy of the ASP/SDP in the School Report.

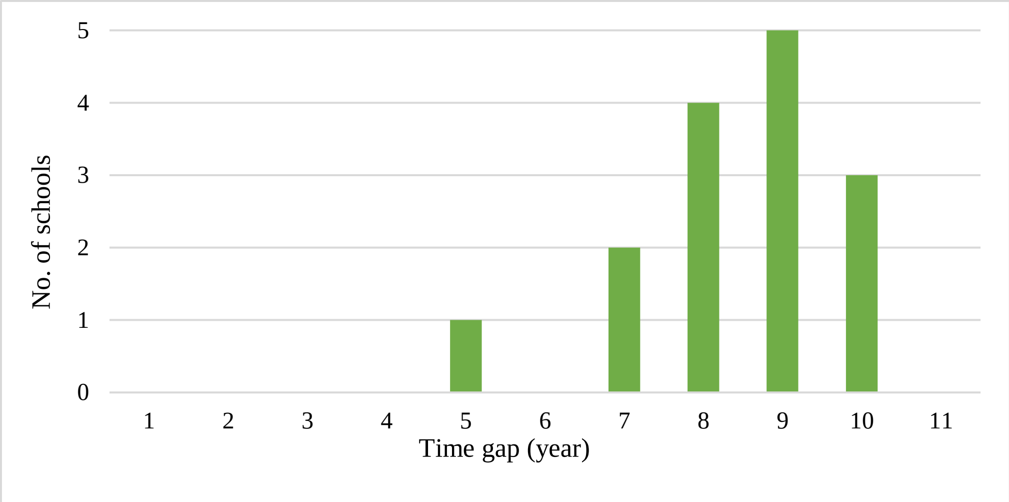
12 KPM breaks down the four self-evaluation domains of the Performance Indicators for Hong Kong Schools, (namely management and organisation, learning and teaching, school ethos and student support, as well as student performance) into a number of items. KPM is the common platform for the schools and EDB to review the effectiveness of school work. The schools collect data by themselves and/or collect the views of stakeholders (such as specialist staff, teachers, students and parents) via questionnaires in order to compile relevant reports with a view to helping the self-evaluation of schools.

collected on its own accord in relation to its lessons and student learning and performance (e.g. the "number of actual school days") and/or obtained via the SHS. EDB pointed out that the operation of the boarding sections is routine business, and no KPM item applicable to special schools is specifically about the services of the boarding sections. The more relevant items include "Stakeholders' perception about support to student growth". The SHS template provided by EDB to special schools (including those for children with ID that have a boarding section) include questions that require asking different stakeholders (such as teachers, specialist staff, students and parents) of their satisfaction level about boarding section services and whether the boarding section staff show adequate care for the boarders, etc. The KPM on "Stakeholders' perception about support to student growth" is compiled in accordance with the objective data collected via the SHS surveys of teachers, specialist staff and parents, as well as other school data. To a certain extent, this can reflect the state of affairs with the boarders at the boarding sections of special schools (including schools for children with ID).

ESR Cycles

5.6 ESRs aim at validating the efficacy of schools' self-evaluations and are not conducted at regular cycles. EDB selects schools for ESR at random. As at the 2021/22 school year, the two most recent ESRs conducted at the 15 schools for children with ID having a boarding section were between five to ten years apart (see **Fig. 1**). Another school for children with ID having a boarding section is relatively new and fewer than two ESRs had been conducted there.

Figure 1: Time gap between two most recent ESRs conducted by EDB at schools for children with ID having a boarding section (as at 2021/22 school year)



(Note: There are altogether 16 schools for children with ID having a boarding section. One of them is relatively new and fewer than two ESRs had been conducted.)

ESR Procedures as Revealed in Some ESR Reports

5.7 As explained in **paragraph 5.3**, during an ESR, the ESR team would observe the school's learning and teaching activities, such as lessons, morning assemblies, noon and after-school activities. While inspection of the boarding section is not part of the established procedures, the ESR team would inspect the boarding section and observe the boarders' daily life where necessary. Having scrutinised some of the ESR reports within the past ten years of schools for children with ID having a boarding section, we found that some ESR teams had not only conducted random half-day observation of campus life, but also observed the daily routine at the boarding sections (such as arrangements for boarders in terms of meals, after-school activities, their class and rest schedules) and met with the wardens in order to understand the life and growth of students. Yet, some ESR teams just met with the wardens without mentioning observation of the students' daily routine; while some did not mention meeting with the wardens at all. Obviously, the various ESR teams did not adopt uniform ESR procedures.

5.8 On our observation set out in **paragraph 5.7**, EDB explained that ESR team members in general meet and discuss with the relevant personnel (such as wardens) in order to understand how the daily routine of students complements the school's development and the students' needs; site-inspections at the boarding section is,

therefore, not mandatory; and whether inspections are carried out may not be mentioned in ESR reports. EDB pointed out that the ESR teams normally focus on reporting the strengths and aspects that need to be improved of a school, rather than listing out in the ESR report in full detail the result of every single aspect of the school's work. As such, operation of the boarding section may not be covered in the ESR report.

5.9 EDB further explained that in view of the continuous enhancement of the School Development and Accountability Framework, the current practice of conducting random half-day observation on two students' school lives (see **para. 5.7**) had been abolished. The same purpose had been achieved via the various observation activities conducted by all the ESR team members during ESRs.

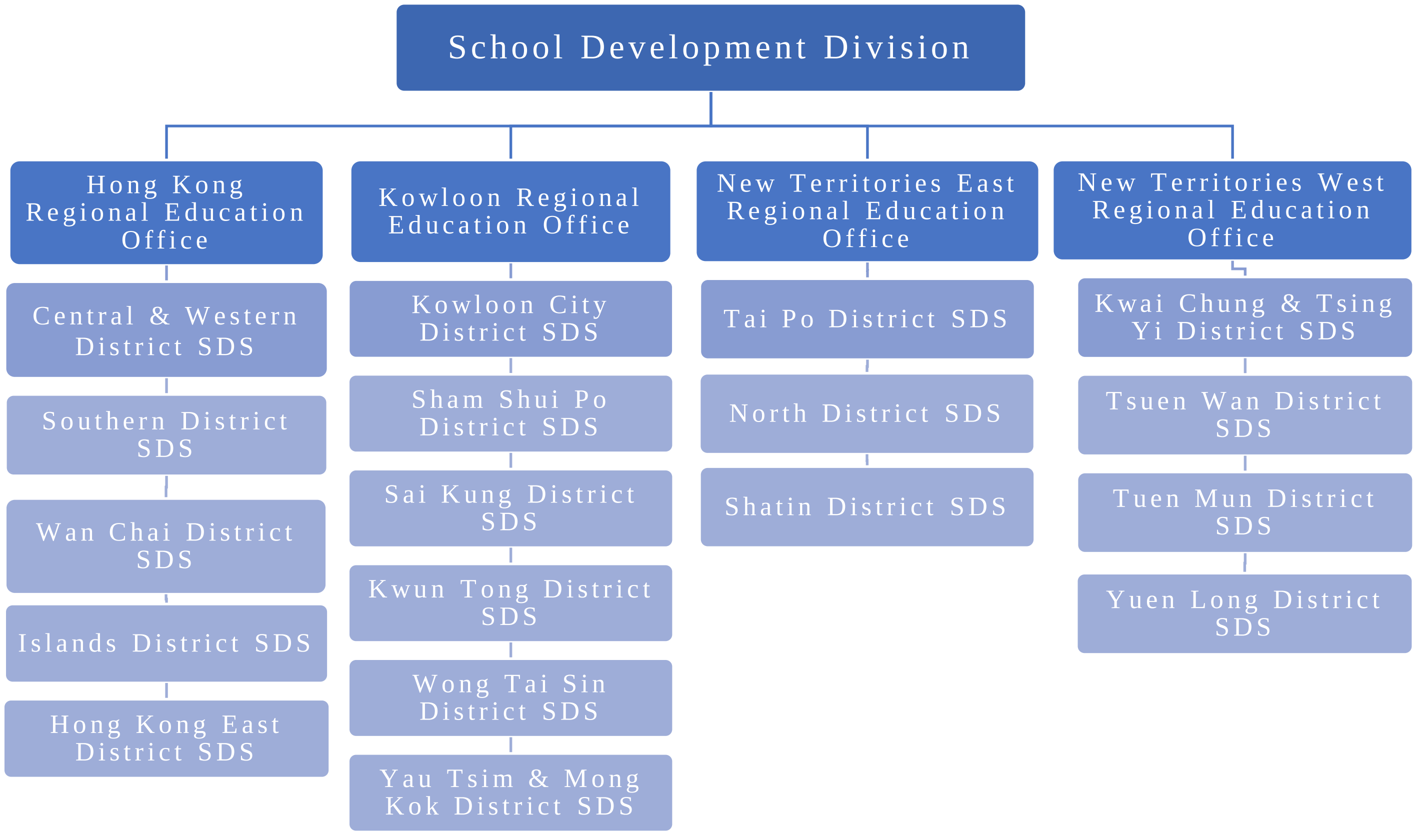
ARRANGEMENTS FOR INSPECTING BOARDING SECTIONS DURING SCHOOL VISITS

5.10 EDB does not set up any designated teams for monitoring the operation of special schools and their boarding sections (including those of schools for children with ID). The various sections of the Bureau would conduct annual visits to the schools for children with ID to understand the different aspects of school work and tender advice. Furthermore, whether the boarding section is adjacent to the school section is not the main factor of consideration in EDB's arrangement for school visits and inspections.

School Visits by the School Development Division

5.11 EDB's School Development Division ("SDD") has established four Regional Education Offices, under which there are different sections. The 18 School Development Sections ("SDS") set up in accordance with district demarcations (see **Fig. 2**) are responsible for monitoring and providing support to the schools within the district (including ordinary schools, special schools, kindergartens and other private schools) in terms of operation and instruction, with a view to fostering their development. EDB indicated that the SDS, composed of education officers (administration), inspectors and other specialist staff, provides all-round professional support services to schools. EDB's monitoring of schools for children with ID having a boarding section is no different from that of other ordinary schools. It is a matter of district education development which is taken up by the SDS of the district to which a school belongs to. The SDS conducts school visits with the mission of fostering the development of the schools within the district and assisting them in implementing school-based management.

Figure 2：Organisation Chart – School Development Division, Regional Education Office and School Development Section (“SDS”)



5.12 Normally, a school development officer would communicate with the school prior to a school visit to confirm the purpose of the visit. On the day of the visit, the school development officer would discuss school development needs with the school staff, understand the operation of the school and may inspect the campus (including the boarding section) if circumstances warrant. They would request the school to take follow-up action and rectify any irregularities or mismanagement, if found. Upon completion of the visit, the school development officer would complete a work log. Information provided by EDB showed that the work log includes the purpose of visiting the schools for children with ID that have a boarding section (to get an idea about the campus facilities/renovation plans, school development direction and follow up on complaints against the schools), their observations and recommendations to the schools. However, no information showed that such school visits should include random checks of the CCTV footages of the boarding sections of schools for children with ID.

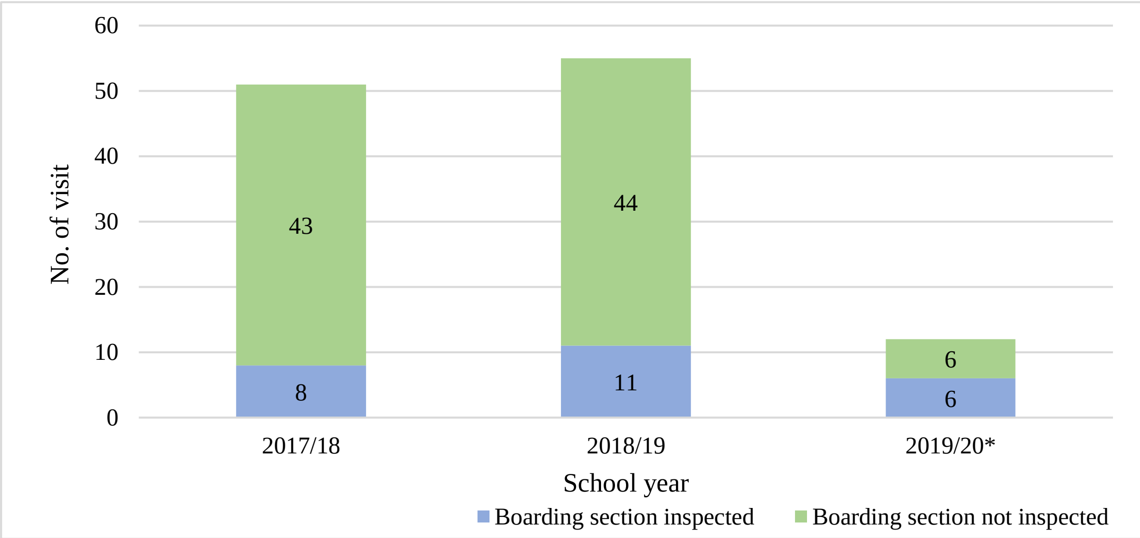
School Visits by Special Education Division

5.13 In the 2021/22 school year, there were 12 units under the Special Education Division ("SED"), which are responsible for implementing integrated education in ordinary schools and special education in special schools. Two of these units are responsible for handling the matters relating to aided special schools, including staff deployment and subsidies, referrals and school places arrangement. In respect of the support for special schools, the SED is tasked with the overall planning of special schools, formulation of relevant policies and measures (such as reviewing the supply of school places for all types of special schools) and provision of support. The aim of the SED's visits to special schools (including those with a boarding section) is to render professional support (e.g. audiology service, speech therapy service and educational psychology service) and understand whether the schools have appropriately used EDB's additional grants for supporting boarders with medical complexity and non-resident students. In order to further understand the situations at the boarding sections, the EDB officers would also visit the boarding sections on a need basis. Prior to a visit, the SED would first contact the school to make relevant arrangements. EDB information showed that the work log completed by the SED officers at the end of a school visit would include understanding how a school for children with ID that has a boarding section maintains the students' medical records, scrutinising the students' medical examination reports and following up on matters relating to the use of grants. EDB stated that SED's school visits aim at understanding how individual schools have been using the additional resources, hence the implementation of related measures, or provision of professional support or consultation. As such, random checks of the CCTV footages of the boarding sections of the schools are not necessary.

Frequencies of Inspecting Boarding Sections during Visits to Schools for Children with ID

5.14 It can be seen from **Figure 3** that in the 2017/18 and 2018/19 school years, the various sections of EDB (not only the SDD and SED) had conducted multiple visits at schools for children with ID that have a boarding section; yet, they seldom visited the boarding sections of those schools, with only 8 and 11 visits during those school years respectively. EDB explained that a lot of the visits were conducted for the purpose of providing professional support and consultation to the schools or their specialist staff (such as speech therapists). Visits to the boarding sections were, therefore, not warranted. For instance, during the three school years between 2017/18 and 2019/20, EDB had conducted 38, 40 and 6 school visits respectively for such purposes. Visits to the boarding sections were considered not necessary.

Figure 3: Number of EDB visits to boarding sections of schools for children with ID during 2017/18 and 2019/20 school years



(Note: Fewer visits had been conducted because of the anti-epidemic measures during the epidemic.)

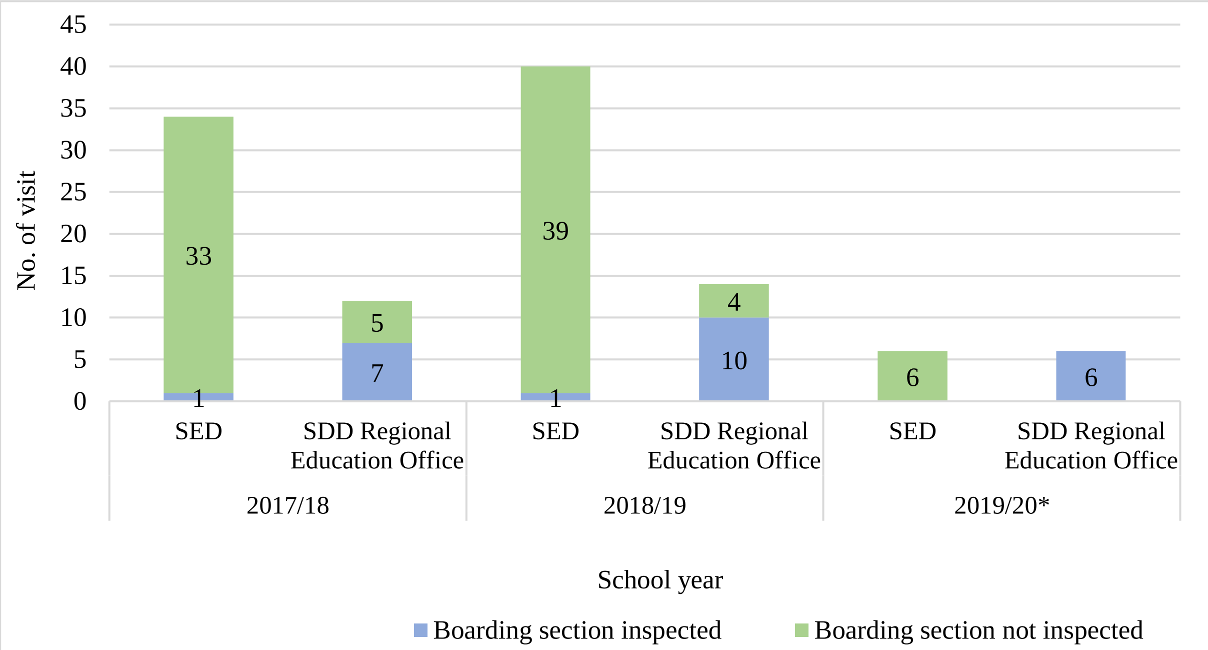
SDD AND SED

Frequency of Visits to Boarding Sections of Schools for Children with ID

5.15 As mentioned in **paragraphs 5.11 to 5.13**, the SDD and the SED of EDB are mainly responsible for conducting visits to schools for children with ID that have a boarding section. **Figure 4** reveals that in the 2017/18 and 2018/19 school years, about 58% and 71% respectively of the SDD visits to schools for children with ID included an inspection at the boarding sections. While the main purpose of SED school visits is to provide professional support or consultation, inspections at boarding sections are deemed not necessary (see **para. 5.14**). Consequently, even though SED school visits had been more frequent, inspections at the boarding sections had been rare.

5.16 EDB said that the SDD is responsible for monitoring and supporting the day-to-day operation of all schools, including schools for children with ID that have a boarding section; while the SED provides professional advice from the perspective of special educational services (including the special needs of students, the specialist staff, facilities and equipment that special schools need, etc.), as well as plans, executes and reviews the relevant policies. Since the two Divisions conduct school visits for different purposes, their number of visits to the boarding sections are not the same either.

Figure 4: Number of visits to the boarding sections of schools for children with ID during SDD and SED school visits in 2017/18 to 2019/20 school years



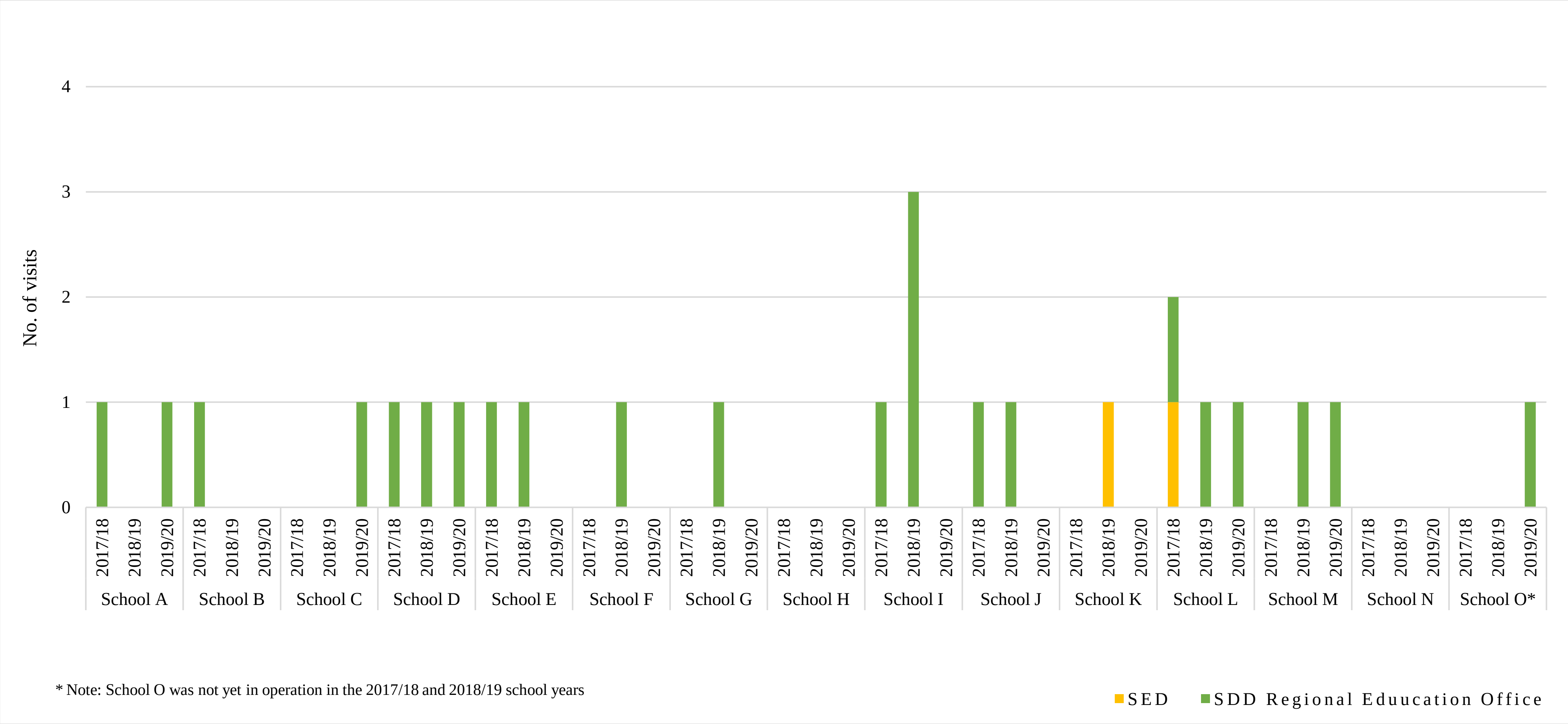
(Note: Fewer visits had been conducted because of the anti-epidemic measures during the epidemic.)

5.17 In relation to the above situation, EDB explained that during school visits, the SED officers would mainly meet and enquire of the principals and relevant staff members and scrutinise documents in order to understand how the schools have been providing support to students with medical complexity. Visits to the boarding sections are not imperative. SED specialist members, who provide on-site professional support services/consultation (such as specific consultation by speech therapists), need not visit the boarding sections. As for the SDD, between 2017/18 and 2019/20 school years, its officers had conducted in total 32 school visits and the boarding sections were covered on most occasions. In the nine visits during which the boarding sections were not covered, the main purpose of such visits was to investigate complaints/listen to the schools' verbal feedback to the ESRs, or other activities at the schools/the daily schedules of the boarding sections did not allow inspections by the EDB officers on the day of visit.

5.18 **Figure 5** shows the statistics relating to inspections at the boarding sections of schools for children with ID conducted between the 2017/18 and 2019/20 school years by the various Regional Education Offices under the SDD and the SED. While the boarding section of one school had been inspected three times in the same school year, those of two other schools had not been inspected for three consecutive

school years. According to EDB, for the former, the SDD had to handle complaints against that school and matters relating to the re-location of its campus during that school year.

Figure 5: Number of visits to the boarding sections of schools by SED and SDD under EDB



Joint School Visits

Arrangements for Inspecting Boarding Sections

5.19 The SDD and SED used to conduct inspections at the boarding sections of schools for children with ID separately on a need basis in accordance with their respective powers (see **paras. 5.11–5.13**). Since the promulgation of the trial version of the Practice Guide in March 2021, the two Divisions had started to conduct joint inspections at the boarding sections of special schools (including those of schools for children with ID) since 2020/21 school year in order to collect views of the sector, review the Practice Guide and monitor the operation of the boarding sections. The Regional Education Offices would assign at least two officers from the SDD to inspect the boarding sections of the schools for children with ID within their respective districts. At least two SED inspectors would also be assigned for conducting joint inspections.

5.20 EDB would normally notify special schools with a boarding section two weeks prior to a joint inspection. The schools must submit in advance a bundle of documents (including the boarding section's organisation structure, its annual plan and work report, name list and duty roster of the boarding section staff and their years of service and turnover rate, school calendar, school development plan and school development report, ESR report and focus inspection report, as well as the complaints register) for scrutiny by the SDD and SED. The personal care records and records on the application of physical restraints and seclusion on boarders are not among those documents. EDB noted that the objectives of obtaining school documents before a joint school visit are to gain preliminary understanding of the planning and management with respect to the operation of the boarding sections, including administration and organisation, personnel management, planning of school-based training for and professional development of staff, and the various support services provided to the boarders, etc. Given that the focus of joint school visits is to monitor the overall operation of the boarding sections rather than review the plan for behavioural counselling or management of individual students, EDB would not ask the schools to provide the personal care records or records on the application of physical restraints and seclusion of individual boarders. During the school visits, the SDD's main concern is the schools' development and administration (including such aspects of the schools and their boarding sections as the development strategies, personnel management, resources deployment, student support and communication with stakeholders and so on); while the SED would focus on understanding and gathering the schools' experience and views

with respect to implementation of the Practice Guide. The Practice Guide would be revised where warranted. EDB had prepared a school development report template and asked the SDD to write a report as soon as an inspection at the boarding section in accordance with the programme as listed in the Practice Guide was completed. The report should cover whether the boarding section continuously conducts self-evaluation, whether it has laid down a specific work plan for the school year in question or a mechanism for reviewing the boarders' needs, and whether it has established a contingency mechanism. EDB pointed out that following the implementation of the Practice Guide by the schools, the SDD and SED would conduct inspections in accordance with their respective powers and functions. Joint inspections would be conducted on a need basis.

Inspection Figure

5.21 **Table 2** sets out the number of joint inspections at the boarding sections of schools for children with ID conducted by the two Divisions during the 2020/21 and 2021/22 school years after promulgation of the trial version of the Practice Guide by EDB in March 2021.

Table 2: Number of SDD/SED joint-inspections at boarding sections of schools for children with ID between April 2021 and August 2022

Month / Year	No. of inspections	No. of boarding sections of schools for children with ID inspected *
April 2021	0	0
May 2021	1	1
June 2021	2	2
July - October 2021	0	0
November 2021	2	2
December 2021	3	3
January - April 2022	0	0
May - August 2022	8	8
Total	**16**	**16**

* Note: Upon the promulgation of the trial version of the Practice Guide, the SDD and SED conducted joint visits at the boarding sections of all the 23 special schools in Hong Kong in the 2020/21 and 2021/22 school years (including 16 schools for children with ID, 4 schools for children with physical disabilities, 1 for those with hearing impairment, 1 for those with visual impairment and 1 for those with visual impairment and ID.)

5.22 EDB indicated that in order to give special schools sufficient time to understand the content of the Practice Guide, joint inspections were not commenced in April 2021. As to why no joint inspections were conducted between July and October, EDB explained that the majority of boarders did not stay at the boarding sections during the summer vacation and they needed to adapt to the new school year in September and October. In view of the outbreak of the fifth wave of the COVID-19 epidemic in early January 2022, EDB announced that the summer vacation be moved up from July and August to March and April till the end of the Easter Holiday. Inspections were, therefore, suspended during the first four months of 2022 and only resumed in May 2022. During those inspections listed in **Table 2**, EDB found no irregularities in the boarding sections of the schools for children with ID.

Joint Inspections with Our Officers as Observers

5.23 In order to further understand the joint inspections by the SDD and SED, our officers shadowed the EDB officers in their routine joint inspection at the boarding section of a school for children with moderate ID on 15 November 2022 afternoon.

5.24 The joint inspection mainly comprised a briefing by the school about its boarding section and the boarders (such as staff establishment and arrangement, operational arrangement, activities planning, staff training and transitional arrangements for boarders), a walk-through of the boarding section facilities (e.g. ventilators, dormitories, bathrooms and canteens, etc.) led by the school, and observation of the after-school life of boarders. One boarder needed to always wear a safety helmet. During the school visit, the EDB officers asked the school for details about that boarder, for example: how the school acted in accordance with the advice of the doctor and parents and put on the protective safety helmet for the boarder, and how an electronic record platform was used to strengthen communication with the carers, etc. Upon completion of the joint inspection, the SDD wrote the school development report to record EDB's observations.

Our Observations during the Joint Inspection

5.25 During the joint inspection by the SDD and SED at the boarding section of the above school for children with ID, it was the school which mainly led the walk-through of the facilities there, and EDB seemed not to have prescribed the scope and items of the inspection. Neither did the EDB inspectors ask to observe the daily routine activities, such as taking medicine or eating, of the boarders at specific locations.

5.26 Although the aforementioned boarding section of the school for children with ID had already installed CCTV systems, the EDB inspectors did not conduct an on-spot random check of the CCTV footages. Neither do they check the boarders' records (such as personal care records).

5.27 With respect to our observations above, EDB added that joint school visits mainly aim at observing the state of affairs of the boarding sections of schools in accordance to the Practice Guide, with a view to assisting the schools' planning and management of boarding sections in terms of their boarders' lives, daily care, learning, socialisation and transition, and helping the schools conduct continuous self-evaluation to improve management and organisation of the boarding sections. Aims of the school visit also include drawing up school-based training and professional development for the boarding section staff, providing support services to boarders, and so on. The focus of each joint school visit would be adjusted in accordance with the circumstances and needs of the boarding section of the school.

6

ACCIDENT NOTIFICATION MECHANISM

6.1 Paragraph 3.4.2 of the School Administration Guide stipulates that in case of any serious or life-threatening accidents at any aided school (including schools for children with ID that have a boarding section), the school principal should notify the parents and EDB immediately, and submit a written report giving all the details of the accident. Generally speaking, EDB would first scrutinise the school's written report, then request more information from the school's staff, the IMC and the school sponsoring body where necessary, and even conduct a school visit in order to fully understand the accident and make recommendations accordingly. If breaches or mismanagement are found, the Bureau would request follow-up actions and rectification by the school.

ACCIDENT REPORTS SUBMITTED BY BOARDING SECTIONS OF SCHOOLS FOR CHILDREN WITH ID BETWEEN 2017 AND 2021

6.2 Between 2017 and 2021, EDB received reports from one school for children with ID on four serious and life-threatening accidents in its boarding section, which involved injury or even coma of its boarders. Details are in **Table 3**.

Table 3: Reports submitted by a school for children with ID on serious or life-threatening accidents in its boarding section between 2017 and 2021

The accident	(1) Date of accident	(2) Date of EDB receiving verbal report	Time gap between (1) and (2)	(3) Date of EDB receiving written report	Time gap between (1) and (3)	(4) Whether EDB had visited the school or investigated
1	Mid-February 2017	Mid-February 2017	Several days	No written report	Not applicable	✓
2	Early August 2017	Early September 2020	About 3 years	Early September 2020	About 3 years	✓
3	Late March 2019	Mid-September 2020	About 1.5 years	Late September 2020	About 1.5 years	✓
4	Mid-December 2020	Early April 2021	About 4 months	Early April 2021	About 4 months	×

6.3 **Table 3** shows that after the four serious or life-threatening accidents, not only had the school for children with ID in question failed to notify EDB immediately, but also procrastinated for four months or even three years before submitting a verbal or written report with respect to **Accidents 2 to 4** to EDB. With respect to **Accidents 2 and 3**, EDB indicated that upon learning of the accidents and the delay involved, it had already given the school a verbal admonition at once that such serious delay in notification was unacceptable, and solemnly instructed it to adhere strictly to the accident notification procedures as set out in the School Administration Guide (see **para. 6.1**). The Bureau also reminded the school that the boarding section is an establishment registered and administered by schools, and subject to the guidelines and requirements set out therein. Since the two aforementioned accidents involved a number of accusations which are serious in nature and contain complicated details, EDB was obligated to gain a full understanding and take follow-up actions. Upon completion of investigation into the two accidents in September 2021 (i.e. a year after EDB had learned of the accidents), EDB issued a formal warning letter to the school in

October 2021, requesting the school's IMC to make prompt improvement proposals and submit them to the Bureau.

6.4 Furthermore, EDB stated that normally, upon receipt of notification from a school for children with ID about a serious or life-threatening accident in its boarding section, the Bureau would require the school to submit a written report (see **para. 6.1**). Despite this, with respect to **Accident 1** listed in **Table 3**, EDB had deployed its officer to the school at once to understand the accident upon receipt of the school's notification, it, therefore, did not request a written report from the school.

7

COMMENTS AND RECOMMENDATIONS

OVERALL COMMENTS

7.1 The boarding services of schools for children with ID is an important support provided to children with long-term residential needs (such as those whose carers cannot provide them with proper care, or whose homes are not easily accessible rendering them inconvenient to go to school on school days). Limited by their ability to communicate effectively, children with ID may not be able to explain clearly their situation and discontent to their parents or others when they encounter problems in the boarding sections. Under the school-based management policy, the school management has a statutory duty to monitor the service quality of the boarding sections; and the Government is obligated to ensure such monitoring work of the school management is effective in order to achieve the objective of protecting the well-being of boarders with ID.

7.2 Our direct investigation reveals that EDB sees the boarding sections of schools for children with ID as part of the schools. The day-to-day operation and management of the boarding section, just like that of the school section, should be taken up by the school's IMC under school-based management with a view to complementing the school's overall development and supporting its students' growth. However, save for the provision of a staff establishment and subsidies, EDB in the past has not laid down any detailed operational requirements, restrictions and inspection mechanism specific to the boarding sections of schools for children with ID. On the other hand, boarding services of schools are rarely mentioned in the current legislation (see **paras. 3.5 and 3.14**), while the ESR system does not include direct assessment of the operation and services of the boarding section. Despite the promulgation of the Practice Guide in March 2021 being a big step forward in enhancing the monitoring of the boarding sections of special schools, we opine that there is still room for improvement in EDB's

monitoring of boarding sections of schools for children with ID. We understand that under school-based management, schools are given greater flexibility and autonomy for more flexible management and deployment of resources. Nevertheless, the boarding sections of schools for children with ID are categorically different in nature from normal schools. For instance, the caring and nursing arrangements involved are something that ordinary schools need not worry about at all. In our view, whether EDB's ordinary school-based management principles can be completely applied to the boarding sections of schools for children with ID is debatable.

7.3 We cannot stress enough that we are not doubting or denying the dedication and efforts made by the boarding sections of schools for children with ID in caring for the boarders. No words can possibly describe the difficulties and challenges they went through during the COVID-19 epidemic. Given the special circumstances of the boarders with ID and the potential risks involved, although the sector in general has exercised self-discipline, it does not mean that the authority can make light of its monitoring responsibilities. In fact, the society at large is very concerned about the protection of the disadvantaged, including children with ID. EDB should not rely solely on the self-discipline of the schools, but should instead proactively exploit the efficacy of its mechanism for monitoring boarding sections of schools for children with ID and enhance the services of the boarding sections, such that the public can trust that the government has discharged its duty conscientiously to safeguard the well-being of young boarders with ID.

7.4 Although EDB had promulgated the Practice Guide in March 2021 targeting the operation of boarding sections of special schools, we consider that the Bureau should continue to step up the vigour and rigour in monitoring boarding sections of schools for children with ID, including drawing up more detailed and specific regulatory requirements and putting in place an inspection system with a view to improving the services and service quality of the boarding sections of those schools such that the risks of neglect or even maltreatment of boarders with ID can be minimised.

7.5 In view of our findings in this investigation, we have the following observations and comments regarding EDB's monitoring of boarding sections of schools for children with ID:

(I) INADEQUATE GUIDELINES ON DAY-TO-DAY OPERATION OF BOARDING SECTIONS OF SCHOOLS FOR CHILDREN WITH ID

Absence of Guidelines on Day-To-Day Operation of Boarding Sections in the Past

7.6 Prior to March 2021, EDB had not promulgated any guidelines specifically for the operation and management of the boarding sections of schools for children with ID. Schools were left on their own to draw up relevant school-based guidelines according to the relevant legislation and other EDB guidelines, including the Code of Aid and the School Administration Guide, etc. (see **para. 2.5**). Neither the legislation relating to the boarding sections (see **paras. 3.5 and 3.14**) nor other EDB guidelines contain any detailed requirements in respect of the sections' day-to-day operation, personal care and nursing for boarders, daily routine arrangements and matters on which records must be kept.

Content of the Practice Guide Too General

7.7 EDB compiled the Practice Guide for the boarding sections of special schools in March 2021 (see **paras. 2.6–2.8**). However, while about 70% of the boarders in aided special schools are with moderate or severe ID (see **para. 2.7**), the Guide targets the boarding sections of all types of special schools (including schools for children with visual impairment or physical disabilities) and contains no points to note specific to the daily care and nursing of the children with ID or the procedures to be followed by the boarding sections. Furthermore, the Practice Guide, being only seven pages long, just describes in very broad terms the principles and direction of operating and managing boarding sections of special schools. Save for some relatively specific minimum staffing requirements for boarding sections during the nighttime (see **para. 3.20 and Note 7**), the Practice Guide does not stipulate any detailed and uniform basic requirements on other day-to-day operational issues.

7.8 For instance, the Practice Guide does not mention the procedures to follow in assisting children with dysphagia to eat or the information to be included in the boarders' personal health and nursing records. In contrast, the Code of Practice for RCHDs, issued by SWD and referenced by EDB in compiling the Practice Guide, does lay down detailed operational requirements with respect to RCHDs. For example, on the use of feeding tubes, the SWD code states clearly that change or insertion of nasogastric tubes must be carried out by a registered nurse or enrolled nurse. The tubes

should be cleaned regularly and relevant records maintained. Besides, the personal health and nursing records of residents maintained by care homes should include records of admission to and discharge from hospitals, records of medical consultations and follow-up treatment, as well as health condition assessments.

7.9 Our view is that EDB's Practice Guide, being rather unspecific, is neither effective in enhancing the services of the boarding sections of schools for children with ID, nor conducive to EDB's monitoring work. We understand that there are specialists of different grades (such as social workers and nurses) in the boarding sections of those schools who provide professional advice and support to the schools; while the schools themselves would formulate school-based policies and guidelines for operating and managing the boarding sections in accordance with the school-based management principles. We also found this to be the case during our visits to the boarding sections of several schools for children with ID. However, if the operational guidelines of different schools cover different aspects of their boarding sections, or the approach or criteria adopted for handling the same issues differ greatly, then the parents, EDB or even the staff of the boarding sections can hardly monitor and judge objectively whether the operation of the boarding sections is proper. We consider it imperative for EDB to devise uniform requirements for certain aspects of the basic operation of the boarding sections so as to regulate their operation and lift their service standard, with a view to safeguarding the rights and welfare of the boarders with ID.

7.10 In this light, EDB should, having regard to the circumstances of boarders with ID, enhance the content of the Practice Guide, stipulate basic requirements for certain aspects of the day-to-day operation of the boarding sections (especially for aspects involving the daily care of boarders and record-keeping), and require the boarding sections of schools for children with ID to incorporate some of EDB's basic requirements into the school-based guidelines drawn up by the schools themselves.

(II) FAILING TO REQUIRE BOARDING SECTIONS TO INSTALL CCTV SURVEILLANCE SYSTEMS WITH RECORDING FUNCTION AND CONDUCT SURPRISE CHECKS OF THE FOOTAGES

7.11 EDB neither required the boarding sections of schools for children with ID to install CCTV surveillance systems with recording function nor provided grants for the installation (see **paras. 3.6 and 3.7**). Upon the launch of this direct investigation,

EDB replied to us in May 2022 that it had no information on the installation and use of CCTV in the boarding sections of schools for children with ID. It was not until October 2022 that the Bureau collected information about installation of CCTV surveillance systems from the aided special schools (including schools for children with ID that had a boarding section) (see **para. 3.8**) and learned that all the boarding sections of schools for children with ID have now installed CCTV surveillance systems. During our visits to the boarding sections of several schools for children with ID, we noticed that some of them had installed CCTV surveillance systems with recording function in the dormitory area, while some had not done so for various reasons. On the other hand, the CCTV footages of the boarding sections of schools for children with ID had never been checked during EDB's school visits in the past (see **paras. 5.12 and 5.13**) or joint school visits conducted since the promulgation of the Practice Guide (see **paras. 5.20 and 5.26**).

7.12 As far as we understand, since child abuse cases were uncovered at an SWD-subsidised residential child care centre ("RCCC") in December 2021, SWD at once required all residential child care service units to install CCTV surveillance systems and implemented a new measure to conduct spot checks of the footages[13]. Later on, some staff members of two RCCCs were allegedly found to have maltreated the young boarders during SWD's spot checks of the CCTV footages. These incidents are testimonies that installing CCTV surveillance systems and spot checks of the CCTV footages are effective monitoring measures.

7.13 We must stress that we are not doubting the operation or the integrity of the staff of the boarding sections of schools for children with ID. Nevertheless, an effective monitoring mechanism should aim at nipping problems in the bud, enabling timely detection of irregularities and efficient follow-up actions. In response to our inquiries, EDB argued that SWD only required those RCCCs for children under six years old to install CCTV surveillance systems within their premises, and draw up policies and mechanisms for scrutinising and checking the surveillance footages, while falling short of stipulating similar basic requirements for RCHDs. In our opinion, although the children living in the boarding sections of schools for children with ID are older than six years of age, they are children with moderate or severe ID whose cognitive abilities or ability to express themselves are inferior to ordinary children of the same age. Consequently, a more prudent attitude should be adopted with regard to the

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13 "Service Quality and Monitoring of Residential Child Care Services", discussion paper by the Panel on Welfare Service, Legislative Council, 31 January 2022. https://www.legco.gov.hk/yr2022/english/panels/ws/papers/ws20220131cb2-46-1-e.pdf

arrangements for installing CCTV surveillance systems and checking of the footages. In fact, during our site visits, some school sponsoring bodies indicated that they had taken the initiative to review the arrangement for installing CCTV surveillance systems for stronger monitoring. We have also received public views in support of installing CCTV surveillance systems at the boarding sections of schools for children with ID. We are of the view that EDB's failure to make specific arrangements for the installation of CCTV surveillance systems at the boarding sections and spot checks of footages would result in a failure to prevent and follow up on irregularities. Furthermore, the plans of some schools for children with ID to install CCTV surveillance systems (with or without recording functions) in the boarding sections had been affected by certain factors (e.g. some boarders' guardians objected to the idea, while some staff members had privacy concerns (see **para. 3.6**)). These problems can hardly be resolved by school-based policies and, therefore, warrant EDB's proactive intervention. In this light, we consider it imperative that EDB requires the schools for children with ID to install CCTV systems with recording function within the perimeter of their boarding sections and make arrangements for regular spot checks of the recorded footages. The Bureau should also provide extra installation grants where necessary. Whether the school sponsoring body or the IMC would conduct regular spot checks of the CCTV footages or not, EDB should deploy its staff to do so from time to time. To this end, EDB must maintain records on the areas of the boarding sections covered by CCTV surveillance systems and the number of such systems. In addition, so long as the Personal Data (Privacy) Ordinance is being complied with, the Practice Guide should state clearly the basic requirements for installing CCTV systems at boarding sections (including the areas and time periods allowed for recording the images captured, the time limit for keeping the footages and the staff's right to access the footages, etc).

(III) LACK OF SYSTEMATIC MONITORING OF THE USE OF PHYSICAL RESTRAINT OR SECLUSION ON BOARDERS WITH ID

Use of Physical Restraint or Seclusion on Boarders Not Included in Inspections

7.14 We notice that EDB officers, during inspections at boarding sections, did not pay any special attention to the condition of boarders with ID who needed physical restraint or seclusion. First of all, regardless of the nature of the physical restraint having been applied on a boarder being "protective" or "medical", or whether physical restraint or seclusion had been used because a boarder had displayed serious emotional

or behavioural problems, EDB did not maintain any records on the number of boarders with ID who needed such interventions or the details of the cases (including, among others, the reasons for applying the restraints and the types of restraints used, see **paras. 4.2 and 4.5**). Besides, during EDB's past inspections or visits at boarding sections of schools for children with ID, checking the condition of the boarders who needed physical restraint or seclusion had never been mandatory.

7.15 At present, the use of physical restraint or seclusion on children with ID is not covered in the Restraint or Seclusion Guideline (see **para. 4.3**). We consider that for protecting the welfare of the boarders who need such interventions, EDB's monitoring of boarding sections of schools for children with ID should cover the use of physical restraint or seclusion so as to ensure that the boarding section staff would, and are reminded to, implement the relevant procedures prudently and properly. During inspections at the boarding sections of those schools, EDB officers can ask the schools to report the data on and details of the boarders who need "protective" or "medical" physical restraint or seclusion as a management and safety measure. They should also spot check the documents relating to the decisions to apply physical restraint or seclusion on boarders, including medical records, the decisions of the health care personnel, the decisions of multi-disciplinary case conferences and the parents' consent.

Lack of Detailed Guidelines and Monitoring Requirements for Boarding Sections of Schools for Children with ID Regarding the Use of Physical Restraint or Seclusion as a Management Measure

7.16 The Restraint or Seclusion Guideline only sets out the general principles, procedures and points to note. It was not drawn up specifically for boarders with ID. Yet, as opposed to other special schools, the boarding sections of schools for children with ID are more likely to have the need to use physical restraint or seclusion to handle emotional or behavioural problems of their boarders. We consider that it would be prudent and responsible of EDB to provide more specific and detailed guidelines on the use of physical restraint or seclusion on boarders to the boarding sections of schools for children with ID.

7.17 Furthermore, while EDB had encouraged boarding sections of schools for children with ID to draw up school-based guidelines and monitoring mechanisms with respect to the use of physical restraint and seclusion, it had not required the schools to submit their guidelines and details of the mechanisms to the Bureau, or report on the implementation of the requirements. Neither did the EDB officers ask boarding

sections of the schools during their inspections to produce records or documents on the use of physical restraint or seclusion as a management measure.

7.18 When boarders lose control of their emotion and behaviour, the judgement of the school staff on the spot is important. However, we consider that proper execution procedures, monitoring mechanism and requirement of keeping relevant records are crucial to ensuring that the boarders with ID under restraint or seclusion are being treated in a reasonable and humane manner. EDB should instruct schools to formulate school-based guidelines and monitoring mechanism regarding use of physical restraint and seclusion. We understand that SWD's Code of Practice for RCHDs contains more specific and strict requirements. For instance, the body part being restrained should be freed at least every two hours, continuous observations be made and records maintained; staff should observe, examine and instantly record the state of the boarder in seclusion at least every fifteen minutes. Besides, the superintendents/nurses/health care workers should conduct spot checks at least once every day of the state of every boarder under restraint or seclusion and sign to confirm the relevant observation records so as to ensure that the staff members have correctly followed the procedures of using restraint or seclusion. In contrast, EDB's Restraint or Seclusion Guideline only provides very general guidance and the Bureau did not have clear ideas about how the boarding sections of schools for children with ID had actually applied physical restraint or seclusion on boarders or about the schools' monitoring measures. We consider EDB's monitoring efforts call for immediate improvement.

7.19 We opine that EDB should take reference from Code of Practice for RCHDs to formulate detailed and rigorous basic guidelines (including implementation procedures and monitoring mechanism) for the boarding sections, targeting the special circumstances of boarders with ID. For example, the guidelines should set out the time interval for releasing the physical restraint, the frequencies of checking on the reactions of the boarder under restraint or seclusion, handling of his/her toileting and eating/drinking needs, and records and information to be completed by boarding section staff after applying physical restraint or seclusion; and require that the head of the boarding section or the nurse should conduct spot checks on the condition of the boarder under restraint or seclusion, and counter-sign to confirm the relevant records. EDB should also require the boarding sections of schools for children with ID to incorporate the Bureau's basic guidelines into their school-based policies or guidelines (if any). For discharging its monitoring duties, EDB should spot check the records on using physical restraint or seclusion during inspections at the boarding sections of schools for children with ID.

Environment and Facilities of Seclusion Space or Area Not Regulated

7.20 EDB reiterated to us that schools should employ positive behaviour support strategies to boost the self-control ability of the children so as to minimise and prevent the risk of their exhibiting emotional and behavioural problems. The Bureau does not recommend the use of physical restraint or seclusion as regular means to manage the boarders because such interventions bring no educational benefits and should, therefore, be the last resort in critical situations or emergencies. As such, EDB's Restraint or Seclusion Guideline basically only provides safety recommendations on using these methods under such circumstances, instead of laying down separately specifications on the size, facilities and environment of the seclusion space (see **para. 4.9**). Nevertheless, forasmuch EDB has allowed the boarding sections of schools for children with ID to use seclusion to confine the activities of the children to a designated space or area where necessary, we consider that it has the duty to further provide guidelines on the arrangements relating to the seclusion space in order to safeguard the boarders' well-being and safety.

7.21 We notice that SWD's Code of Practice for RCHDs has included the basic requirements for the hardware design of the seclusion space/area inside residential care homes (e.g. the space/area should have cushioned walls and floor, as well as a view panel on the door). In this light, we recommend that EDB should set down basic requirements for boarding sections of schools for children with ID in respect of the design and facilities of the seclusion space or area to ensure that the environment is safe and humane. It should maintain information about such space or area in the boarding section of each school for regular inspection and assessment of compliance with the relevant requirements regarding their design and facilities.

(IV) ESR TEAMS NOT INSTRUCTED TO OBSERVE AND ASSESS BOARDERS' CONDITION AND DAILY LIVES AT BOARDING SECTIONS

7.22 The KPM reports and SHS reports submitted to the ESR teams by schools for children with ID include the stakeholders' impression and satisfaction level with respect to the day-to-day services of the boarding sections (see **para. 5.5**). During an ESR, the review team may, on a need basis, observe the daily lives of boarders in the boarding section, or speak with the specialist staff of the boarding section to understand the state of affairs there (see **para. 5.7**).

7.23 As indicated in **paragraphs 5.7 and 5.9** above, the ESR teams would observe a number of activities of the schools. We, therefore, see no actual difficulties to include observations on the school life and activities of the boarders as part of the routine inspection workflow. On the other hand, we are doubtful of whether the ESR teams can really understand the actual state of services provided by the boarding sections by only talking with the designated personnel of the boarding sections without conducting site-inspections at the boarding sections (see **para. 5.7**). Furthermore, even if the boarding sections are hardly mentioned, or just briefly mentioned, in the school development plans of schools for children with ID, observation at the boarding sections can give the ESR team a more comprehensive idea about the circumstances and development of the school. Given that the last two ESRs conducted at most schools for children with ID having boarding sections were about eight to ten years apart (see **para. 5.6 and Fig. 1**), the ESR teams should take the opportunity of an external review to examine whether the services of the boarding section can complement the school's development plan and identify room for improvement, if any.

7.24 We consider that EDB should include observation of the environment of the boarding sections and daily lives of boarders as an inspection item during an ESR, such that the ESR teams can understand how the boarding sections could provide services complementary to the planning and development of the schools, and make specific improvement recommendations to the schools.

(V) EFECTIVENESS OF INSPECTIONS AT BOARDING SECTIONS DOUBTFUL

Infrequent Inspections and No Surprise Inspections

7.25 While EDB would conduct a number of visits at schools for children with ID in every school year, those visits hardly covered the boarding sections (see **paras. 5.14–5.17, Figs. 3 and 4**). EDB explained that a lot of school visits were conducted for specific purposes and inspections at boarding sections were not required (see **para. 5.14**). EDB inspections at boarding sections of schools for children with ID had been very infrequent. For instance, as seen in **Figure 5** under **paragraph 5.18**, in each of the school years between 2017/18 and 2019/20, an average of six to nine schools for children with ID having a boarding section (out of a total of 14 or 15 such schools during the period) had had the section inspected. About half of the boarding sections had been

inspected only once during those three school years, and two had not been inspected at all; while another two had been inspected in every of those three school years, and one thrice during the same school year because of special circumstances (e.g. complaint investigation and relocation of campus, etc.) (see **Fig. 5** under **para. 5.18**). Even after the promulgation of the Practice Guide, EDB had just inspected the boarding sections of eight schools for children with ID once during the following year (between April 2021 and April 2022). The increase in inspection frequency had been insignificant. It was not until we declared a direct investigation into the topic that EDB increased the frequency of inspections at the boarding sections of eight schools for children with ID between May and August 2022 (see **Table 2** under **para. 5.21**).

7.26 To our understanding, SWD conducts on average seven inspections[14] at every RCHD each year during office and non-office hours, and inspects every RCCC at least six times every 12 months. Apparently, EDB inspections at the boarding sections of schools for children with ID compare unfavourably to SWD's inspections at RCHDs in number and frequency. In this light, we recommend that EDB proactively increases the inspection frequencies and sets down a key performance indicator with respect to the inspections each year at the boarding section of each school for children with ID (e.g. setting down a minimum number of inspections). Furthermore, given that surprise inspections (especially those conducted during non-office hours) can better reflect the actual operation and state of affairs in the boarding sections, EDB should also arrange surprise inspections at the boarding sections of schools for children with ID at different time periods of the day (including both office and non-office hours), instead of conducting only announced inspections, as it had done in the past (see **paras. 5.12, 5.13 and 5.20**).

Broaden Scope of Inspections at Boarding Sections and Delineate Duties Clearly

7.27 We notice that prior to the promulgation of the Practice Guide, EDB had not spelt out the scope of inspection or prepared inspection checklists for the SED and SDD during inspections at the boarding sections of schools for children with ID. Relevant records show that officers of the two Divisions might or might not inspect the daily lives of the boarders with ID (see **paras. 5.12 and 5.13**). EDB indicated that since the promulgation of the Practice Guide in March 2021, the two Divisions would conduct joint inspections at schools and the boarding sections of schools as per the

14 Between 2018/19 and 2020/21, SWD conducted in total more than 2,000 inspections at some 300 residential care homes for persons with disabilities during office and non-office hours.

Practice Guide in order to assist the schools in planning the boarders' lives and daily living, learning, social skills and transition, as well as manage the services in the boarding sections. The SED would monitor the schools' implementation of the Practice Guide, while the SDD would inspect the boarding sections in accordance with the Practice Guide and write up school development reports (see **para. 5.20**). We are of the view that although the schools for children with ID having a boarding section are required to provide a number of documents for the joint inspections by the two Divisions, the focus of the joint inspections, as reflected in the school development report template, is whether the schools have drawn up various school-based guidelines and mechanisms (such as a review mechanism for assessing the boarders' need for accommodation and a contingency mechanism). The EDB inspection officers are not specifically required to conduct site inspections and assessment of the facilities of the boarding sections or review the boarders' daily routine and record their condition. Meanwhile, we do not see any substantial difference between the joint inspections carried out by the SED and SDD after promulgation of the Practice Guide and the inspections they previously conducted separately.

7.28 We understand that during inspections at RCCCs, SWD officers would examine and assess items pertaining to the care environment (such as safety measures and staff ratio) and the resident children (such as their health and medical records, as well as behaviour and emotion). As for inspections at RCHDs, the multi-professional inspectorate teams of the Licensing Office of Residential Care Homes for Persons with Disabilities would adopt multiple perspectives to examine aspects such as staffing, building safety, health care and home management. We consider the depth and breadth of EDB's inspections still insufficient as they cannot really help EDB understand the daily lives of the boarders with ID and whether the care services provided are proper.

7.29 EDB indicated to us that under the school-based management principle, the schools should conduct continuous self-evaluations and continually improve the management and organisation of their boarding sections, devise school-based training plans and professional development strategies for the staff at the boarding sections and provide various kinds of support to their boarders. EDB school visits aim at understanding the overall management and operation of the boarding sections, assessing whether the professional team can harness their professional knowledge and preserve their integrity to provide proper and adequate care for the boarders and tender professional advice. The objectives and focus of each school visit may differ, depending on the condition and needs of the boarding sections. If the management of the boarding section is found to be unsatisfactory, or if there are enquiries or complaints

about the boarding section of a school, EDB would, under the risk-management principle, focus on following up on the specific aspects or issues of the school. For instance, it would observe the daily routines of the boarders at individual locations where necessary, check the CCTV footages with the consent of the students, their parents and those involved, scrutinise the personalised behaviour counselling and management plans of the boarders, their personal health care records and records on the use of physical restraint and seclusion.

7.30 We opine that EDB's response as set out in the previous paragraph did not negate or contradict our observations that the Bureau should expand the scope of its inspection at the boarding sections. EDB should review and broaden the scope of inspections at the boarding sections of schools for children with ID, and focus on assessing the boarders' daily routine at the boarding sections (including meals and nutrition, personal care, daily living care, administration of drugs and medical treatment, environment and safety measures, activities organised by the boarding sections and staffing arrangement), observing the physical and psychological well-being as well as the emotion and behaviour of the boarders, and scrutinising the records on care and use of restraint and seclusion. In addition, EDB should draw up clear delineation of duties and schedules for collaboration between the SED and SDD, define indicators for conducting separate or joint inspections so as to ensure that the boarding sections of schools for children with ID would be properly inspected by the two Divisions.

(VI) LACK OF DIVERSITY IN QUALIFICATION OF OFFICERS INSPECTING BOARDING SECTIONS

7.31 EDB inspections officers and members of ESR teams do not possess qualifications relating to health care and social work (see **Note 10, paras. 5.11 and 5.13**). We learn that SWD's multi-professional inspectorate teams responsible for inspecting RCHDs are composed of health inspectors and social work inspectors served by registered nurse or registered social workers who would examine the services and service standard of RCHDs from multiple perspectives. In response to the child abuse cases in one RCCC, SWD had decided to incorporate professionals with health care qualifications into the RCCC inspection teams. We consider that the residential services of the boarding sections of schools for children with ID are no different from those provided by RCHDs and RCCCs in nature. If the inspection officers of EDB and ESR teams include professionals with relevant qualifications, they would be in a better position to comprehensively assess whether the environment and safety measures, daily

care services and personal care services of the boarding sections are proper and adequate, and be more sensitive to any anomalies in the emotion and behaviour of the boarders with ID.

7.32 The public views we had received also reflected the parents' expectation to understand the daily routine of the children with ID and the operation of the boarding sections. They also hoped that EDB could set up independent inspection teams composed of parents, or follow SWD's Service Quality Group Scheme[15] to regularly invite parents to visit the boarding sections.

7.33 We are of the view that, for ensuring the effectiveness of inspections, EDB can consider including professionals with qualifications in health care and social work in the ESR teams and EDB's inspection teams responsible for conducting inspections at the boarding sections of schools for children with ID. Besides, the Bureau can explore the feasibility of allowing the parents of boarders with ID to participate in the inspections at the boarding sections for assessing the service quality of the boarding sections from the perspectives of different stakeholders.

(VII) MECHANISM FOR REPORTING SERIOUS OR LIFE-THREATENING ACCIDENTS AT BOARDING SECTIONS DEFECTIVE

7.34 **Table 3** under **paragraph 6.2** above shows that a school for children with ID had repeatedly and seriously delayed in submitting verbal and written reports on serious or life-threatening accidents at its boarding section. It only reported to EDB three years after one accident and failed to submit a written report on another, thereby significantly breaching EDB's guidelines. Such delays reflected that EDB's reporting mechanism had not been strictly complied with. Consequently, EDB could not deploy staff to collect evidence and carry out investigation at the boarding section of the school in a timely manner, and was therefore unable to devise or propose precautionary or rectification measures as soon as possible.

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15 Implemented in RCHDs since 2012, SWD's Service Quality Group Scheme has been arranging different community stakeholders as well as the relatives and friends of service users to conduct unannounced visits to homes and provide feedback on their facilities and services, thereby assisting and encouraging the homes to enhance service standard.

7.35 Meanwhile, EDB has not set down a clear and definite time frame for the boarding sections of schools for children with ID to submit written reports on serious or life-threatening accidents. We are aware that SWD's Code of Practice for RCHDs stipulates the submission of a "special accident report" by RCHDs within three calendar days after an accident involving serious injury or death of resident(s). We consider it imperative of EDB to set a clear deadline for the boarding sections of schools for children with ID to submit written reports on accidents, and monitor closely whether there has been delay in reporting accidents. Serious actions must be taken by the Bureau against non-compliance.

OTHER OBSERVATIONS

7.36 **Paragraph 3.17** above shows that save for the nursing grade staff who must possess health care-related qualifications, management staff of boarding sections of schools for children with ID should be registered social workers with academic qualification and working experience relating to social work. We understand that some boarders with moderate ID have stronger comprehension and self-care abilities and need more than just daily care services. These children also need training in behaviour and emotions control as well as social skills to facilitate their smooth transition to adult care homes or other training and rehabilitation service centres after leaving school. Training in these aspects call for specialists with social work background. On the other hand, we notice that some young boarders with ID (especially those with severe ID) are weaker physically (e.g. they may have muscular dystrophy or epilepsy) and need more intensive daily care (such as feeding, bathing and assistance in toileting). The staff have to possess more comprehensive and correct health care knowledge and skills such as methods of feeding, lifting or transferring children with mobility difficulties. Nevertheless, care workers possessing health care qualifications are not part of the staff establishment of the boarding sections of schools for children with ID, and EDB only provides a "Personal Care Worker Grant" for the boarding sections to hire such workers or procure related services (see **para. 3.19(3)**). While we appreciate the flexibility in the current practice (see **para. 3.19(1)**), we consider that including specialist staff with specified qualifications in the staff establishment can ensure at the structural level that all boarding sections of schools will have such specialist staff in their establishment. In this light, we expect that in the long run, EDB would monitor the staff arrangement of the boarding sections of schools for children with ID on an on-going basis, and review the need to augment their staff establishment with employees other than nurses with health care qualifications so as to further enhance the service quality of the boarding sections of schools for children with ID.

7.37 During our visits to the boarding sections of schools for children with ID, several schools told us about their difficulties in recruiting staff for the boarding section, with some vacancies of regular staff remained unfilled for protracted periods; and some schools expressed concern about attracting new blood to join care services for children with ID. We are glad to learn of EDB's initiatives in recent years to relieve the manpower shortage (see **para. 3.19**) and expect that the Bureau can proactively explore different proposals to attract talents, say, by cooperating with tertiary institutions to provide internship and training opportunities in the boarding sections of schools for children with ID to students inclined to pursue a career in health care and rehabilitation services.

RECOMMENDATIONS

7.38 In light of our findings in this direct investigation, The Ombudsman makes the following recommendations to EDB:

(1) to enhance the content of the Practice Guide, having regard to the condition of the boarders with ID, and stipulate basic requirements for certain aspects of the day-to-day operation of the boarding sections of schools for children with ID (e.g. aspects involving the daily care of boarders and record-keeping), and require the schools to incorporate EDB's basic requirements into their school-based policies and guidelines (see **paras. 7.6–7.10**);

(2) to require the boarding sections of schools for children with ID to install CCTV surveillance systems with recording function, and stipulate the basic requirements for CCTV installation in the Practice Guide (see **paras. 7.11–7.13**);

(3) to arrange EDB staff to conduct random checks from time to time of the recorded footages of the CCTV surveillance systems installed at the boarding sections (see **paras. 7.11–7.13**);

(4) to include the use of physical restraint or seclusion on boarders by the boarding sections as an item for review during inspections (see **paras. 7.14 and 7.15**);

(5) to formulate detailed and rigorous basic guidelines (including implementation procedures and monitoring mechanism) specific to the use of physical restraint and seclusion as a measure to manage boarders with ID losing control of their emotion and behaviour, and require the boarding sections of schools for children with ID to incorporate the guidelines into their school-based policies and guidelines (see **paras. 7.16–7.19**);

(6) to provide further guidelines on the design and facilities of seclusion space in the boarding section of schools for children with ID with a view to protecting the children's safety (see **paras. 7.20 and 7.21**);

(7) to include observation of the environment of the boarding sections of schools for children with ID and daily lives of boarders in ESR (see **paras. 7.22–7.24**);

(8) to arrange surprise inspections at the boarding section of schools for children with ID during both office and non-office hour, and draw up key performance indicators for inspections at the boarding section of each of those schools per school year (see **paras. 7.25 and 7.26**);

(9) to review and broaden the content of inspections at the boarding sections of schools for children with ID, including focusing on assessing the daily routine at the boarding sections, observing the physical and psychological well-being of boarders, and scrutinising the records of the boarders (see **paras. 7.27–7.30**);

(10) to devise clear arrangements and inspection indicators for the Bureau's inspections at the boarding sections of schools for children with ID (see **paras. 7.27–7.30**).

(11) to explore the feasibility of arranging inspections at the boarding sections of schools for children with ID by professionals with qualifications in health care and social work, and of allowing parents to participate in the inspections (see **paras. 7.31–7.33**); and

(12) to strictly require boarding sections of schools for children with ID to adhere to the requirements for reporting serious or life-threatening accidents and stipulate a clear deadline for submitting written reports (see **paras. 7.34–7.35**).

ACKNOWLEDGEMENTS

7.39 The Ombudsman thanks EDB for its full cooperation in the course of this investigation.

Office of The Ombudsman
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Annex

Annex

Practice Guide for Special Schools on Planning and Managing Boarding Service

Background

This guide serves as reference for aided special schools with a boarding section to facilitate their effective planning and management of services of their boarding section, thereby ensuring the provision of appropriate services for boarders in such aspects as daily care, safety, learning, socialisation and transition, and to enable them to keep enhancing their support services for boarders through continuous self-evaluation.

2. The boarding service provided by special schools seeks to cater for students' long-term residential needs, and hence facilitate their schooling during school days while providing them with personal care services beyond classes. Schools should, having regard to the overall planning of their school and boarding sections, devise effective measures to provide boarders with safe environment and appropriate support, and promote students' personal and social development.

3. Boarding sections of special schools are staffed with wardens, assistant wardens, houseparents-in-charge, houseparents, programme workers and registered nurses, as well as auxiliary staff such as clerical assistants, janitors, cooks and watchmen by the Education Bureau (EDB) according to their special school types and approved boarding capacity. Moreover, boarding sections of special schools are provided with various kinds of grants, such as the Boarding Grant, Top-up Boarding Grant, Composite Furniture and Equipment Grant, Air-conditioning Grant, Administration Grant/Revised Administration Grant and Personal Care Worker Grant, according to the types of students admitted.

Management and organisation of boarding sections

4. Boarding sections of special schools funded by the EDB[1], as establishments registered and administered by the school, should be headed and supervised by the principal, while planning and management are under the charge of the warden. The

[1] The boarding sections funded by the EDB provide boarding service for students with visual impairment, hearing impairment, physical disability, moderate intellectual disability and severe intellectual disability who have long-term residential needs. As regards schools for social development that provide intensive support services for students with moderate to severe emotional and behavioural problems, their residential service is subsidised by the Social Welfare Department.

school should make arrangements for suitable personnel to take up different positions and perform their respective duties in the boarding section. Furthermore, the school should flexibly deploy various government grants for employment of additional staff to take care of boarders or hiring of relevant services to meet its actual needs. This serves to ensure that the boarding section can operate effectively and provide appropriate residential and personal care services for boarders. For finance and personnel matters, please refer to Chapters 6 and 7 of the School Administration Guide. As regards entrance requirements for different grades of staff, please refer to Section 4 of the Compendium to Code of Aid for Aided Schools or Appendix 4 to the Code of Aid for Special Schools.

5. The school management, wardens and specialist staff of the boarding section have to apply their professional knowledge and uphold professional ethics[2] and observe the requirements set out in circulars and guidelines issued by the EDB from time to time for the effective management of the boarding section, so as to provide appropriate residential and personal care services for the boarders of their school.

6. The school management have to encourage and facilitate the continuous training of teaching and non-teaching staff of the school section as well as staff of the boarding section by formulating continuing professional development programmes and making professional activities available, in order to expand their abilities and enhance their professional competence. When devising such programmes, the school should take into account the operational needs of boarding section staff, with a view to enhancing their professional knowledge and skills, and improving their effectiveness in supporting boarders on an ongoing basis.

Support provided for boarders

7. Both the school and boarding sections of a special school are crucial to supporting students' growth. The school management has to lay down effective measures to strengthen communication and collaboration between the two sections, in

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[2] For specialist staff from the social worker grades that work in the boarding section (including wardens, assistant wardens, houseparents-in-charge, houseparents and programme workers), please refer to the Code of Practice for Registered Social Workers and the Guidelines on Code of Practice for Registered Social Workers issued by the Social Workers Registration Board. For nurses, please refer to the Code of Ethics and Professional Conduct for Nurses in Hong Kong, Guides to Good Nursing Practice and other codes of conduct and practice laid down by the Nursing Council of Hong Kong.

order to cater for boarders' needs in such aspects as daily care, safety, learning, socialisation and transition, provide them with safe environment and appropriate support, and promote their personal and social development.

Daily care

8. When arranging admission of students to the boarding section, the school should maintain sufficient communication with parents to find out their students' special needs and identify matters that require special attention (such as living habits specific to culture and customs, concerns arising from religious beliefs, and food or drug allergy). In addition, parents should be clearly informed of the rules and care arrangements of the boarding section as well as the responsibilities they need to fulfill, with a view to encouraging their collaboration with the school and boarding sections. Upon students' admission to the boarding section, the school should also share with parents regularly their children's adaptation to living therein, including effective methods in rendering care and handling behavioural and emotional problems with a view to supporting the growth and development of boarders.

9. The boarding section should adopt a people-oriented attitude and make good use of the "Positive Behaviour Support" approach[3] to provide boarders with a safe environment and appropriate care in their daily life, with a view to addressing their physical, emotional and social needs, and improving their quality of life.

10. The boarding section has to provide boarders with the essential daily care services according to their age, health status and self-care ability, and observe the principles of safeguarding personal privacy, dignity and developmental needs. Specifically, the work involved includes but is not limited to the following:

- Specific and appropriate individual care plans should be formulated for boarders and, with the collaboration with school section staff, such information should be incorporated into the individualised education programmes devised for individual boarders by the school. Reviews should be conducted regularly. Relevant information may include a boarder's need for support (for example, life skills

[3] "Positive Behaviour Support" is an evidence-based approach to understand students' physical and psychological needs through functional behaviour analysis. Then, they are coached to develop the respective skills and behaviour, or appropriate environmental support will be provided for them, to help them satisfy their needs and enhance their overall quality of life. For more strategies and examples of "Positive Behaviour Support", please refer to Annex 1 of the guideline appended below.
https://sense.edb.gov.hk/uploads/page/special-education/common-administrative-issues/3.8.4_bullet_3_Restraint_Guideline_8.2020r_E.pdf

training) and special nursing care (such as the need to be fed, to be given medicine and to use a ventilator).

- An appropriate timetable for everyday routine should be worked out for boarders, so that daily care services can be delivered according to their needs.
- A personal health and nursing record should be properly maintained for boarders, with information updated according to the advice of healthcare professionals and the conditions of the boarder concerned. For cases of medical complexity, 24-hour ventilator-dependent boarders or those with other special nursing and care needs, the boarding section should remind the relevant support staff to review/update on a regular basis (such as at the beginning of each school year) the additional support measures devised for such boarders and the emergency treatment agreed with the relevant departments/medical institutions (if applicable). In the event of staff turnover, the support staff new to a post is required to read the relevant information to ensure a thorough understanding of the support measures for the students concerned.
- Appropriate steps should be taken to ensure that the dignity and privacy of boarders are safeguarded during daily personal care or nursing procedures through the provision of facilities (such as partitions and curtains) and safety measures.
- In case of emergency, boarders' safety must be the foremost consideration of carers. The staff concerned should shout for help immediately and notify their superiors the soonest possible without delay.
- Efforts should be made to find out the needs, preferences and habits of boarders, and arrange suitable leisure activities according to their abilities and interests. As far as practicable, boarders should be allowed to opt for the leisure activities they desire.

<u>Living safety</u>

11. Schools are responsible for the living safety of boarders. The boarding section has to devise effective measures, such as the adoption of a duty roster and the conduct of inspections, to ensure that adequate staff is deployed to take care of boarders during both daytime and nighttime[4]. For the occurrence of accidents in the boarding section

[4] Special schools should, depending on their specific circumstances (the school time of the school section, the timetable for activities and rest of the boarding section, the number of boarders staying in the boarding section during weekends and holidays, etc.), deploy suitable manpower to cover different shifts. On any day with boarders staying in the boarding section, at least two staff members must be on duty for the night shift. At least one of them should be a specialist, either a social worker or a nurse. Depending on operational needs, a boarding section may alternatively opt to arrange two non-specialist staff members on duty and an additional specialist staff (i.e. staff in the rank of social worker or nurse) on site (whether or not on duty). Besides, special schools should lay down

that results in severe injury of boarders or necessitates immediate hospital treatment, please refer to the handling details set out in Section 3.4.2 in Chapter 3 of the School Administration Guide.

12. Schools have to provide staff with clear workplace guidelines and appropriate training to enhance their awareness, knowledge and skills in identifying, preventing, and handling suspected cases of child maltreatment. Besides, schools have to remind all staff members that if wounds and injuries are found on a student's body or there are reasons to believe that a student has been harmed, they have to notify the principal and the warden immediately for the activation of the school-based contingency mechanism. To safeguard students' safety and best interests, the suspected case of child maltreatment should be handled in accordance with EDB circular no. 1/2020 "Handling Suspected Cases of Child Maltreatment and Domestic Violence" and Section 3.8.9 in Chapter 3 of the School Administration Guide, as well as the principles and procedures set out in "Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation (Revised 2020)" published by the Social Welfare Department.

13. Other related matters include but are not limited to the following:

- For school premises (including facilities of the boarding section) and safety matters, please refer to Chapter 8 of the School Administration Guide.
- For the execution of proper procedures to manage and assist boarders in the use of medicine, including ways to store, prepare and administer medicine, and the maintenance of a medicine record, please refer to the Guidelines on Drug Management in Residential Care Homes jointly compiled by the Social Welfare Department, the Department of Health and the Hospital Authority (if applicable).
- For the points to be taken note of when handling boarders with severe emotional and behavioural problems (including the use of physical restraint and seclusion), please refer to the guidelines provided via this link.
- For the handling of incidents involving a communicable disease, please refer to Section 3.5.4 in Chapter 3 of the School Administration Guide.

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contingency procedures to let staff members on duty clearly understand the arrangement of substitute and support staff as well as the contact means to cope with various contingencies with a view to ensuring adequate staff members in the boarding section to cater for the boarders.

Learning support

14. The leadership of special schools should adopt appropriate measures to promote communication and collaboration between the cross-disciplinary teams of their boarding and school sections. For example, boarding section staff may observe students' behaviour in class while school section staff may observe students' daily life in the boarding section. This would enable the school to appropriately design and provide after-school learning support and supervised training, and arrange extended learning activities (such as independent living skills and household training) for boarders, with a view to supporting their development and addressing their growth needs. Outcomes of such professional exchange between the boarding and school sections should also be appropriately incorporated into the support measures in such aspects as daily care, living safety, social development and transition arrangements.

15. Guidance and assistance can be offered to boarders (particularly those with intellectual disability / autism spectrum disorder) to facilitate practicable and effective communication. For example, images or picture cards may be used to understand and help them express their needs. Social narratives may be employed to enable boarders become familiar with the daily schedule and appropriate social behaviour in the boarding section as far as possible, as well as the ways to regulate their emotions, etc.

Social development

16. The boarding section should, in light of boarders' developmental needs for physical and psychological well-being and growth at different stages, approach suitable groups or organisations and engage them in providing boarders with individualised or group activities (including leisure, recreational and cultural activities) in content and form that cater for such developmental needs, so as to promote boarders' personal and social development.

17. The boarding section has to, depending on the conduct of activities, deploy suitable personnel to take care of boarders and make available proper facilities for the sake of boarders' safety. At the same time, the school should encourage family members of boarders to play a role and help with the conduct of activities so as to strengthen home-school co-operation and parent-child relationship.

<u>Transition arrangement</u>

18. When compared with other school leavers, boarders need to cope with more changes in such areas as living environment and interpersonal relationship, etc. once they leave their school, no matter whether they return to their own home or change to residential service provided by another organisation. Special schools have to formulate plans early for their boarders in order that these students could receive support in adaptation and transition after leaving their school. This includes arranging necessary adaptation training for boarders as early as possible and providing boarders' family members and carers and related organisations with information relating to the daily care they need (for example, self-care ability, special diet, medical needs and favourite leisure activities), so that their families and carers and related organisations are in a better position to understand the boarders' needs and acquire the skills for taking care of them, thereby contributing to the boarders' early adaptation to the new environment.

19. Special schools should establish communication channels with organisations that provide post-school services for boarders and agree on the transition arrangements as early as possible. The school should also make an active effort to complement the welfare plans and follow-up services worked out for individual boarders by these organisations. In tandem, schools should collaborate with these service organisations to facilitate parents to know the community resources and services available to them so that they can develop increasing links with local support networks.

20. As boarders spend most of their time living in the boarding section, their parents have relatively fewer opportunities to stay and communicate with them. The parenting and caring skills of some parents may have gone rusty. Where possible, schools may provide opportunities for boarders' family members/carers to apply practical skills that help boarders adapt to changes, so as to prepare these boarders better for their returning to home living.

21. Special schools should make early arrangements to facilitate the transition of the students (including boarders) to the occupational training, rehabilitation training, residential service or community support services that they need after leaving their school. This could facilitate social workers of the service organisations involved in following up on the cases of these school leavers. At present, during the waiting time when school leavers queue up for service, special schools would continue to keep track of students' adaptations to their new routine in daily life, usually over a period of two years. During

the said period, schools should, where necessary, refer students to the District Support Centres for Persons with Disabilities, home-based support services or Integrated Family Service Centres, etc., under the Social Welfare Department and (if appropriate) maintain liaison with the social workers following up on the cases of school leavers, so that timely assistance and support can be provided for these school leavers and their families.

School development and accountability

22. Under the School Development and Accountability framework, special schools are required to evaluate the effectiveness of their provision of education and student support services (including the care and support provided for boarders) every school year through self-evaluation. As far as boarders are concerned, special schools should aim for a comprehensive understanding of their performance in both the school and boarding sections and review their learning, developmental and caring needs in a systematic manner. Accordingly, this would enable the school to evaluate its effectiveness in different domains and provide feedback for the continued development of the school and boarding sections.

23. The management of the boarding section has to, through the Planning-Implementation-Evaluation cycle under the self-evaluation mechanism, monitor and evaluate their effectiveness in different domains on an ongoing basis, so as to keep developing and enhancing the boarding service. As with other school functional groups, the boarding section should formulate specific work plans for each school year and set appropriate targets and success criteria for its boarding and personal care services. Ongoing self-evaluation is conducive to the effective operation of the boarding section and provision of safe environment and appropriate support for boarders.

24. Besides, to ensure optimal use of boarding places, special schools have to review the boarding needs of individual boarders every school year and make appropriate arrangement upon the growth and development of boarders. For example, the school has to lay down post-boarding plans for boarders going to leave school with their family members or carers, including referring them to appropriate welfare service for necessary support and to facilitate their early adaptation to the new life after departure.

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